

**Proposed Local Development Plan
Consultation Responses 092-161
November 2013**

Objector Ref	Objector Name
092	Jane Angus
093	Ballater Royal Deeside
099	Donny Black
104	Phil Swan
105	Kingussie Community Council
110	Perth & Kinross Council
111	Angus Council
129	Aviemore and Vicinity Community Council
130	Dalwhinnie Community Council
134	Valery Dean
139	Buglife
149	Carr-Bridge Community Council
152	Braemar Community Council
153	Mary Laing
154	Alan Milne
158	John Poyner
159	Coast2Coast
161	Mobile Operators Association

July 2013: Local Development Plan



Ballater Section 4.

While I attended the congenial and constructive meeting of some of the members of Ballater and Crathie Community Council to discuss the Local Development Plan to be sent on July 3rd, I was not able to put forward further suggestions on the words of the text before the formal submission was made.

I fully agree with the general thrust of the submission on any development of H1 in Ballater, but would include area ground-heating, a greater emphasis on workshops or such premises for local enterprises, flats and complexes for elderly social etc. support. I accept that with the laws on housing allocation it is not, unfortunately, possible to insist on allocations only to local applicants. I shall continue to press for Aberdeenshire to use the mechanism which has been possible in Highland Region – after all, we have only been trying for that since the system for allocating monies to social housing funds to Counties came in. I accept the proportion of social housing at 35%, being the policy of the CPNA.

I believe there is a need for fully public and thorough consideration by the whole community, before acceptance of a master plan for H1.

Mrs [REDACTED]

[REDACTED]

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Objection No:



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1. NameA. Jane Angus.....

AddressDarroch Den,

.....[Hawthorn](#) Place, Ballater

..... PostcodeAB35 5QH.....

Telephone0133 97 56260..... Email

.....janeangus33@hotmail.co.uk.....

2. If you are representing a third party, please give their details.

Name

Address

.....

..... Postcode

Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own x

Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.

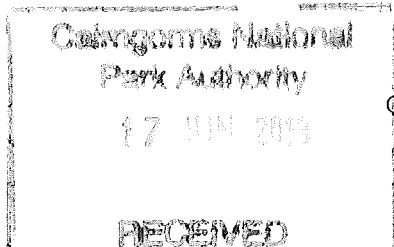
Natural history: pages 18-22 of the papers and 4, Ballater

The co-existence of capercailzie and *Muscidæ* among on and to the west of Panninich Hill, exemplifies the need for care, protection and mutual action of other species throughout the National Park. In 2003, a freshlet on the Lower Dee brought migratory fish into the two lowest pools, where at least 300 salmon died because there was no further access because of a rock barrier and no rain higher up.

Now catches have almost reached the previous level might it be considered to

match the precautionary action to the Severn where tanks are available, safely to transport fish upstream if such drought occurs in any river?

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).



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Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name Ballater (RD) Ltd
Address [Redacted]
Telephone [Redacted]

2. If you are representing a third party, please give their details.
Name
Address
Postcode
Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own [] Agent []

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.
Future Housing in Ballater

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).
There are no objections.
The Board of Ballater (RD) Ltd have considered the Proposed Local Development Plan and wish to stress certain points with particular reference to the situation in Ballater.
1. The disproportionately high need for affordable housing
2. The high level of existing properties designated 'Holiday Homes' and occupied infrequently and which, therefore, contribute little to the local economy.
3. Concern that the executive component of any future development could increase this 'Holiday Home' aspect.

4. Continued

The Board welcomes the note at 17.2 indicating the need to prioritize affordable housing to meet the local needs but is concerned that at 17.15 affordable housing provision is last in the list of Developer Requirements.

It further welcomes the H2 Proposal for 100% affordable housing at the Patrick Geddes site.

5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection.

The Board, although noting the usual contribution to affordable housing of 25% in any development, would seek assurance in the Final Plan that The Development Appraisal Toolkit be structured for the specific needs of Ballater taking into account the above points.

John Coull,
Chairman, Ballater (RD) Ltd.

Please return all completed forms to:

FREEPOST (RSHS-BHKL-KXHS)
Cairngorms National Park Authority
Albert Memorial Hall, Station Square
Ballater
AB35 5QB

Or email: localplan@cairngorms.co.uk

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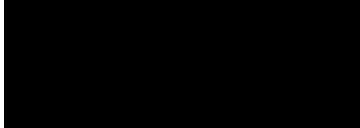
Tel: 013397 53601 Email: localplan@cairngorms.co.uk

www.cairngorms.co.uk

Data Protection

Details provided will only be used for purposes associated with the Local Development Plan. You may request to see personal information held by the CNPA at any time. Information will be shared with the Scottish Government Department of Planning and Environmental Appeals and may be published on our website. We will not publish address details but may publish the name of the person who has completed the form. By completing and submitting the form, you are consenting to the above.





Cairngorm National Park
Station Square
Ballater AB35 5QB

Cairngorms National
Park Authority
26 JUN 2013

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Dear Sirs

Proposed Local Development Plan

I note that the site of vacant ground at the junction of Aberdeen Road and Craigview Road measuring some 0.8 acres is annotated in white on the Ballater map - 'unallocated' - inferring a change from the current situation of 'Land for development - light commercial'

I ask The Board of CNPA to consider a further change to green instead of white - 'Protected Open Space'.

This would be in accordance with Para 17.11 of the Ballater section of the Plan - 'A number of open spaces, land which contributes to the setting of Ballater, are identified and will be protected from development' thus maintaining the tranquillity of this part of the village.

Such a change would ensure the retention of the area as aesthetically acceptable to visitors arriving in the village.

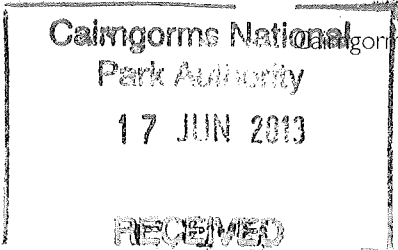
Its use as a wild flower meadow requiring minimal maintenance would further accord with the aims of HRH Prince Charles who is creating Queen's Coronation Flagship Meadows at 60 sites across the country and is calling for new sites to be developed'.

Other uses which would enhance the quality of the approach to our beautiful village would be an arboretum, or a memorial garden to Elizabeth, the late Queen Mother who spent a considerable part of her life enjoying this area.

Yours faithfully



John A Lovie



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1. Name **John T Coull**
Address [Redacted]
Telephone [Redacted]

2. If you are representing a third party, please give their details.
Name
Address
.....
..... Postcode
Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

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The Board of Ballater (RD) Ltd has considered the proposed plan. It is noted that the vacant ground at the junction of A93 and Craigview Road measuring some 0.8 acres is annotated in white on the Ballater map - 'unallocated' - inferring a change from the current situation of 'Land for development - light commercial'.

This area is visible to visitors and tourists on arrival in the village from the east and, in our opinion, deserves to be maintained and aesthetically attractive. BRD seeks therefore, to ask the Board of CNPA to consider a further change from white to green - 'Open Space'.

This would be in accordance with paragraphs 17.1, 17.4, 17.11 and, especially, Page 75 Community - Open Space - 'A number of open spaces, land which contributed to the setting of Ballater are identified and will be protected from development' while 17.1 'Wishes to ensure maintenance of an unspoilt environment'.

The Community would decide on the use of the area but establishing a wildflower meadow would receive support from HRH The Duke of Rothesay who is currently establishing sixty Queen's Coronation Flagship Meadows throughout the country and welcomes other sites.

Other possibilities would be a small arboretum or a community garden.

Such an area would create a pleasing welcome to a popular tourist venue.

John Coull
Chairman

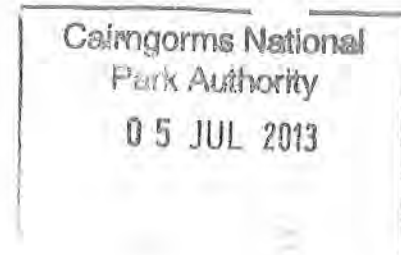
MUNRO
CHARTERED QUANTITY SURVEYORS

Michael A. Munro F.R.I.C.S.
e-mail: munrosurveyor@btconnect.com



Date 5/7/13

Cairngorms National Park Authority
The Planning Team
Albert Memorial Hall
Station Square
Ballater
AB35 5QB



Attn = Karen Major

Dear Karen,

NATIONAL PARK LOCAL DEVELOPMENT PLAN
RESIDENTIAL OPPORTUNITY – LETTOCH ROAD, NETHYBRIDGE

I confirm that this firm acts for the owner of the site, Mr Donny Black.

There has been a call nationally and from yourselves for potential development sites and this site is suitable for a variety of reasons to be included in the Local Development Plan for housing

I enclose a location plan of the site together, and would request that the site be included in the next Local Development Plan.

- 1 There is a need to provide new housing sites in Nethybridge, there are no ongoing housing sites being built, and there is a known and established demand for both private and social rented housing, both of which can be provided here. There are currently 240,000 families on waiting lists for social rented housing in Scotland.
- 2 The two sites at the school wood have now been zoned since 2005, six years, and No building work at all has started. It would seem very unlikely that they will be developed considering the costs involved and the number of houses achievable. There is no opportunity for social rented housing here, it is not financially viable.



V.A.T. Reg. No. 671 4207 49

- 3 The two sites at school wood are also under mature woodland with many species of birds and insects etc. As well the natural fauna etc indigenous to the area, and were the subject of major local objection at the time of zoning by Highland Council. Local nature trails and footpaths wind their way through these woodlands and are used by locals and visitors to the National Park to enjoy the nature setting.
- 4 A site in Boat of Garten has very recently been turned down by the National Park and the Reporter on appeal, for housing in a partially wooded area with wildlife etc in a very similar situation to the school woods at Nethybridge.
- 5 There was evidently a need for housing in Boat of Garten, this will now not be achieved, but the site at Lettoch Road, being promoted here would provide housing close to Boat of Garten as well as meeting the demand within Nethybridge itself.
- 6 The site at Lettoch Road is located immediately outwith the 30mph limit, just as the two at school wood are. It would not create any issues to extend the 30mph limit slightly further along Lettoch Road.
- 7 Visibility at the entrance to the site is not an issue as the proposed position of the entrance provides the required visibility.
- 8 Site topography is gently sloping and will not require much restructuring.
- 9 The site is currently under grass so there no issues about trees, wildlife or plants and flowers.
- 10 The site has natural defences and there is also the opportunity to create landscaping/tree buffer zones within the site.
- 11 The proposal is supported by national planning policies –

Outwith the settlement limits as defined by town and village envelopes, development will only be supported where it –

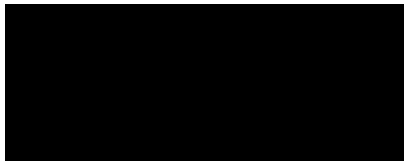
- a) Demonstrates a proven need for a countryside location
- b) Is justified by policy on Housing Development in the Countryside or
- c) Is for affordable or special needs housing
- d) Is compatible with surrounding uses and
- e) Can demonstrate that neutral or positive net environmental impact will occur

This site at Lettoch Road can be justified on all these policies.

- 12 Further, where brownfield and infill sites cannot fulfil the housing requirements it is necessary to release Greenfield land next to built up areas.
- 13 We fully appreciate the need locally for affordable housing, our proposed layout plans for the development includes for 12 affordable houses
- 14 The site has previous planning history in that the Cairngorm National Park Authority planners have already looked at this site and considered it to be a suitable residential site going forward.
- 15 Residential sites must be approved, young people in the Park will be forced to leave if accommodation is not provided, this site meets the criteria

I trust this information will be sufficient for the site at Lettoch Road to be considered for inclusion in the Plan, but please contact me if you require any further details.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

M A MUNRO

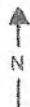
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NETHER BRIDGE

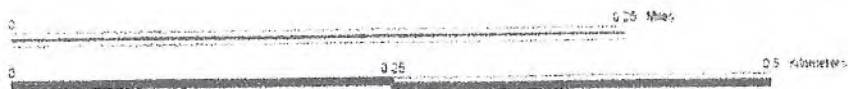


Scale 1: 5000

1 cm = 50 Metres
1 cm = 55 Yards
1 in = 140 Yards



0.25 Miles Field Boundary



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Park Authority
05 JUL 2013
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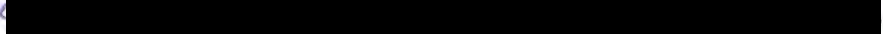
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1. Name Phillip John SWAN
Address 
Telephone 

2. If you are representing a third party, please give their details.
Name
Address
.....
..... Postcode
Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.
a) Paragraphs 1.21 to 1.23 and Figure 3 on page 12 of proposed local development plan
b) CNPA paper 1881 Supplementary Guidance Map 6, page 117 (c) Paper 1886 Transport Appraisal

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).
See separate representation

4. Continued

5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection.

The last two bullet points in my paragraph 10 should be implemented
The blue corridor between Ballater and Braemar should be removed from the plan of the Spatial Strategy
The words quoted in my paragraph 12 should be removed from the Transport Appraisal

5 July 2013

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AB35 5QB

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CAIRNGORMS NATIONAL PARK AUTHORITY

PROPOSED LOCAL DEVELOPMENT PLAN – COMMENTS BY PHIL SWAN

Issue: The Transport Appraisal, Spacial Strategy and Core Paths Concepts are Products of Muddled Thinking and Lack of Reality

Reference Documents: CNPA Paper 1880, Proposed Local Development Plan, Sections 1.21 to 1.23, and Figure 3, page 12
CNPA Paper 1881, Supplementary Guidance, Map 6, page 117
CNPA Paper 1886, Transport Appraisal

General Points

1. I am concerned that the above CNPA documents indicate muddled thinking and lack of coherence and reality.
2. Transport can be a costly experience, both economically and environmentally. Therefore, unnecessary use of transport might reasonably be viewed as something to avoid. There are, I believe, only four fundamentally distinct purposes for transport:
 - a) Resource distribution, ie to move physical materials from points of supply towards points of use.
 - b) Social – to enable people to meet each other, or for purely amenity value of going away from one's own habitat.
 - c) Work transport – between work and home, either on a daily basis or longer term missions.
 - d) Local – for people to move around within the vicinity of their own settlement (for various reasons, including any of the first three).
3. I believe that each of the above 4 purposes for transport should initially be reviewed separately, to examine how each one may, in various ways, be made more efficient in environmental and economic terms. Then, it might be possible to find synergies between the ways in which these needs are met, which could yield further opportunities for sensible integration of the aims of the National Park.
4. The major road and rail routes that cross the north-western side of the CNP area have very little to do with Ballater, and possibly not much

more to do with any of the CNP settlements along their routes. They are just "there". The statement in the LDP, paragraph 1.21, that "The settlements of the Park are linked by a network of trunk roads and the Perth to Inverness railway appears to have been written by a person who was not aware that Ballater and Braemar are parts of the CNP, for this is a fallacious statement to apply to these two settlements. Similarly, the statement in paragraph 1.22 that "There are clear opportunities for economic growth and diversification within, between and around the existing settlements of the Park" begs the question: "What is meant by the terms economic growth and diversification?" More specifically, I would like the author of this document to elaborate on the meaning of this statement in the context of the blue corridor between Ballater and Braemar, as shown on the so-called "strategy diagram in Figure 3 on page 12.

5. At a Park-wide level, I am surprised that the documents, in their attempt to downgrade the car as the preferred means of transport, to a position behind walking and cycling (a worthy objective), do not attempt to promote some means of satisfying the need for transport associated with purposes 2b) and 2c) above by replacing them through the deployment of e-technology, which would be very helpful in winter when the transport system between the Ballater-Braemar "corridor" and the overdeveloped ribbon along the north-west edge of the CNP becomes dysfunctional due to the weather. The transparently artificial attempt made in these few brief paragraphs of the LDP to construct a case for any kind of linkage involving economic development between these isolated parts of the CNP, is as weak in its concept as it will be disastrous in its implementation.

Ballater-Specific Points

6. At a Ballater-specific level, I am concerned about the spatial strategy being pursued in the LDP.
7. This has some bearing on Transport Appraisal. By building new houses across the strath beyond the north-eastern side of Monaltrie Park, the LDP will undermine its own worthy objective of reducing car dependency in the settlement. This is because the climate in Ballater is rarely supportive of long walks or bicycle usage, especially for the older

or infirm residents, and we know that the population of Ballater, along with CNP generally, is aging faster than the rest of Scotland.

8. If residents are to be encouraged to use "muscle power" for local / personal transport, then the LDP must make this as easy as possible by minimising journey distances.
9. This means any new needed housing would be better located as close to the existing settlement centre as possible, rather than across the far edge of Monaltrie Park. This point was raised by Ballater & Crathie Community Council in response to the Main Issues Report (MIR) but does not appear to have been noticed by CNPA, as it was not acknowledged, challenged or taken up in the proposed LDP.
10. Using the suggested definitions for transport needs (in paragraph 2 above) it is possible to make a rational and structured evaluation of the Core Paths in Map 6 (Ballater). From this, it seems that all core paths in Ballater and its vicinity are "Local" in their purpose, also including mainly "Social" content. This might dictate the required quality for each route. However, the following additional conditions could be considered relevant to the analysis:
 - UDE3, Deeside Way. In the short section from the village centre (Station Square) to Pannanich Road this might be upgraded to allow for some use as "Work" transport, or even a degree of "Resource Distribution". Beyond Pannanich Road it is purely "Social".
 - UDE31, Onder Path. Between the medical centre and Morven Way, this might be considered for some further upgrading, to allow residents of Morven Way to use it (as they may already do) for "Work" and "Resource Distribution" (eg, shopping) as well as "Social". What such upgrading might involve would need evaluation, at a very local level.
 - UED30, Craigendarroch Circular Walk. Much of this route could be challenged as justifiable Core Path status, because upgrading to the required standard would spoil its character. I consider it should not have been given such status. My preference would be to downgrade this route, ie remove Core Path status from it.
 - UED60, Ballater to Craigendarroch Hotel. This has some "Work" in addition to "Social" but no upgrading is justified for this.

11. I agree with CNPA in saying that this settlement (Ballater) does not affect the strategic transport network.

12. The Transport Appraisal states "The development of the larger housing site at Monaltrie Park will require a detailed masterplan which will consider all options for transport and access. This will include both access to the site, and movement within it. It will also consider the way the development links to the existing path network, and in particular the village core, the school, and the Deeside Way. Other allocations and proposals will not have any significant effect on the local transport network." I consider these statements to be largely redundant and should be removed, as the site at Monaltrie Park (BL/H1) is not, in my opinion, the correct location for new development, as I have shown in other parts of my submission.

Phil Swan 16th June 2013

Cairngorms National
Park Authority

02 JUL 2013

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Cairngorms National Park Proposed Local Development Plan

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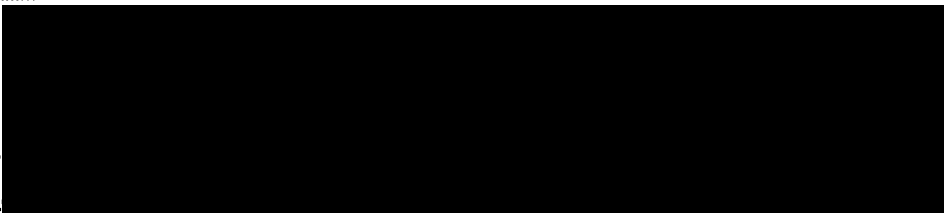
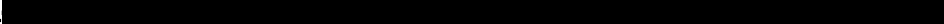
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HLS + Aberdeenshire

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1. Name PHILLIP SWAN
Address 
Telephone 

2. If you are representing a third party, please give their details.
Name
Address
.....
..... Postcode
Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own

Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification. PROPOSED LDP, SECTION 17, (Ballater)
POLICY - NEW HOUSING DEVELOPMENT.

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).
PLEASE REFER TO ENCLOSED DOCUMENTS.

4. Continued

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PLEASE REFER TO ENCLOSED DOCUMENTS.

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CAIRNGORMS NATIONAL PARK AUTHORITY

PROPOSED LOCAL DEVELOPMENT PLAN - COMMENTS BY PHIL SWAN

Issue: CNPA's Housing Strategy is Failing to Deliver Ballater's Housing Needs

Reference Documents: Proposed Local Development Plan, section 17 (Ballater)
Policy – New Housing Development

Background

A major challenge which CNPA has to contend with is housing and, within this the principal issues for the Ballater community are:

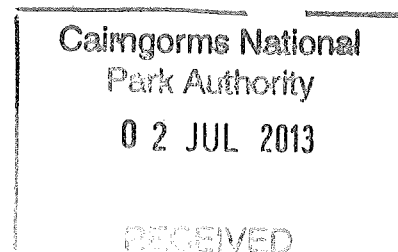
1. Lack of affordable housing for local people living on rural incomes.
2. Concern that the addition of large numbers of new houses – especially at a single location on the edge of the village – will damage the much-acclaimed “sense of place” and community spirit.
3. A large (and possibly growing) percentage of not-normally-occupied dwellings, currently standing at 26.3% of the total housing stock.

I am objecting to the allocation of a large area of land at Ballater (BL/H1) for the construction of open market housing as a means of delivering needed affordable housing. I request that an alternative approach be adopted, as defined in the following text.

Review of CNPA's Housing Strategy

CNPA's approach to the provision of affordable housing in Ballater is to foster large scale development of open market housing at site BL/H1 (north east of Monaltrie Park) as a means for getting a percentage as affordable dwellings. This approach is flawed in the following respects:

1. It's failed to deliver needed affordable housing in Ballater. In 10 years since the inception of CNPA, no affordable houses have been built in Ballater, whereas during this time, 321 have been built across the CNP area (Att. 1). Furthermore, since just 2007, 43 new private dwellings have been constructed in Ballater (Att. 2). The on-going trickle of private housing development (much of which will end up as not-normally-occupied housing) is leading to the squandering of the one resource which is scarcer in Ballater even than funding, namely viable housing land within an



acceptable geographical envelope that will preserve Ballater's sense of place. This continuing loss needs to be arrested.

2. It does not address, or even acknowledge the long term problem of deteriorating housing and other buildings in the old parts of Ballater. CNPA has no effective plans to deal with this problem.
3. There is no need or justification for any more new private house construction in Ballater, as over 26 per cent (232 out of 882) of dwellings in Ballater are not-normally-occupied and in private ownership (Att. 2). This level of redundant property could be treated as a potential housing resource, but CNPA does not acknowledge this in its proposed LDP.
4. It would result in a "spacial strategy" for Ballater that would seriously impair Ballater's scenic attraction and "sense of place". This is the primary source of Ballater's appeal as a place to live and visit (Att. 3, page 7).
5. A large development would be constructed in a location that does not fit well with the existing settlement, either socially or geographically. Older residents, living in BL/H1 would not be able to walk (or cycle) from their homes to the centre of the village for most months of the year, due to inclement weather. The social unity of Ballater would thus be undermined.
6. Monaltrie Park would be surrounded by development on all sides and it is questionable whether the existing park area is large enough even at the present time. Further requirements for open recreational space are likely to arise because of the need for improved recreation facilities for young people in the community (Att. 3, page 11). I understand a group of young people is raising a petition requesting that CNPA makes provision for a skate park to be constructed on the outskirts of the village.
7. A clear majority of Ballater residents are opposed to the approach being pursued by CNPA. This has been demonstrated on numerous occasions:
 - a. The Deposit Local Plan (July 2007) presented a proposal for 250 houses north east of Monaltrie Park. This attracted wide spread objections in Ballater.

- Across the national park area (Att. 4, paragraph 1), there were a total of over 1500 comments from over 460 respondents. Housing was the biggest issue.
- b. A petition opposing proposals by CNPA to develop site BL/H1, signed in 2008/2009 by more than half of Ballater's residents, with only 75 per cent of residents having been approached (Att. 5).
 - c. A large number of respondents to the survey conducted by Ballater & Crathie Community Council (B&CCC) in 2010 volunteered (unprompted) the view that Ballater must not grow significantly in population, as it is the ideal size now (Att. 3, pp. 6 & 7). There was considerable concern that significant expansion would damage the environment / setting of the place and its community spirit, and a feeling that neither of these qualities should be compromised, not even in pursuit of tourism development.
 - d. In 2011, 85 per cent of all respondents to Question 4 in the Main Issues Report (MIR) chose an option put before them by CNPA for delivery of affordable housing (called "Option 2") which would make all new housing affordable only, with no new open market housing for the foreseeable future. The same percentage of respondents rejected CNPA's proposed spacial strategy for Ballater, which involves large scale new development at the edge of the settlement (Att. 6, paragraph 8).
 - e. There is a probability that, as a result of climate change, the land quality at BL/H1 could improve from Class 3 Division 2 (average quality) to Class 3 Division 1 (prime quality). In such a case, there would be a presumption against development (Att. 12).
 - f. Everyday dialogue with residents and visitors alike provides a constantly available source of evidence of the real strength of public opinion against CNPA's proposals.

In pursuit of its strategy for affordable housing CNPA, in the proposed LDP Evidence Report refers, in paragraph 6.1 to a study "Delivering Housing for Local Needs, Andrew McCafferty Associates 2010" (AMA). This report is Appendix 4 to the "Main Issues Report - Background Evidence 1. Housing and Population" which is referred to in paragraph 6.2 of the LDP Evidence Report. AMA states that:

"2.6. Evidence shows that the application of local occupancy restrictions both distorts and increases pressure on the operation of housing markets. New build property values are reduced by some 15% to 40%; development viability becomes a serious

issue and stops developers building, which in turn results in a reduction in the supply of affordable housing as developer contributed affordable housing is not built; prices of housing in the second-hand market are inflated due to increased demand, all of which means that local people are increasingly dependent on the affordable housing market, which primarily consists of social rented housing.”

This argument seems to pre-suppose that there is an inexhaustible supply of housing land and the only mechanism for creating affordable housing is via planning gain from open market development. It overlooks the reality that, as a result of the proposed open market development, Ballater would be progressively spoiled to an extent that will severely damage the atmosphere, visual setting and community spirit of the place. This could lead in turn to damage to the local economy, as tourists seek other, less spoiled places to visit. CNPA's failure to recognise the distinctive sensitivity of Ballater's well-being in this manner is probably one of the greatest threats facing Ballater.

The proposed LDP makes provision for 50 dwellings on BL/H1 over the plan period (5 years). In a letter to CNPA dated 27th September 2007 (Att. 7) the Prince's Foundation for the Built Environment (PFBE), an expert consultant retained by Scotia Homes Ltd., advised that:

“In order to maximise wider benefits to the community, improvements to Monaltrie Park and ensure a quality public realm, sufficient critical mass will be needed in the initial, and most costly, stages of development. We therefore suggest that 90 houses in the first 5 years may be too low”.

I am not aware that PFBE has changed its view on this, nor do I believe there is any reason for it to do so. The implication of this is that CNPA may well be unable to deliver on its development objectives unless the quality of life for Ballater residents and the aims of the National Park are compromised.

Further arguments against CNPA's approach are presented in the draft "Proposed Affordable Housing Policy for Ballater" by B&CCC, 19th October 2010 (Att. 8).

Proposed Alternative Approach

Ballater needs small scale infill and brown field development of 100 per cent affordable housing within the settlement boundary (as it was prior to adoption of the present Local Plan) to meet its housing requirements. This approach could yield some potential benefits:

- a) It would provide a more natural way to integrate affordable households into the community than by incorporating them into a large scale open market development on the edge of the village.
- b) It would alleviate the dependency of affordable housing supply on the development of unnecessary open market housing.
- c) Easier access to services immediately local to the (re)development sites should help to reduce costs.
- d) The pace of development of affordable housing could be better matched to the emerging understanding of the real need, because development decisions could be made in a more gradual, step-wise manner, when required.
- e) The integrity of Ballater's setting which is vital to its economic survival, would be better protected.
- f) More of the construction work could be done by local tradesmen, and this could offer opportunities for local employment and training of young people.
- g) The condition of existing buildings in the older part of the village could be improved as part of the conversion to affordable housing.

Some of these benefits are already becoming evident in the first "infill" affordable housing project since CNPA's inception (now underway using the approach proposed above).

Access to land which the owners are willing to sell is a potential obstacle to be addressed. Information provided by Aberdeenshire Council about land it owns inside Ballater's boundary indicates that this body is almost certainly the largest single owner of undeveloped or otherwise suitable housing land inside the settlement boundary – much of it having been purchased from Invercauld Estate (Att. 9). When asked about possible sale of some of these parcels of land for housing, there seem to be some concerns in Aberdeenshire Council about the existence of residual feudal burdens that might inhibit the future use of the land for housing (Att. 10). Tentative inquiries of the original land owner (Invercauld Estate) have indicated that this is unlikely to be a problem (Att. 11).

In paragraph 8.18 of CNPA's Evidence Report states that it "will consider the protection of small parcels of land for 100 per cent affordable development".

So, in summary:

1. Aberdeenshire Council is the principal owner of land suitable for housing inside the settlement boundary.
2. There are no insurmountable legal inhibitions on the use of this land for housing.
3. CNPA has the power to protect such pieces of land for affordable-only development.

Such action by CNPA would have the following likely outcomes:

- Dilution of market value of the land. This should not disappoint Aberdeenshire Council, which already believes it is substantially inhibited from using these sites for housing.
- Tempering of expectations of monetary gain from the sale of such land.
- Reinforcement of Ballater as a "place with a sense of place" because it would become protected from adverse development.
- Strengthening of the community spirit, as residents begin to feel their wishes are being heeded.
- A sound basis for a sustainable tourism-based economy for a considerable number of years, as more efficient use would be made of the one resource that is most scarce, namely land that is suitable for housing within the settlement boundary. During this time, we can all give more careful consideration to possible types of economic diversification for Ballater (a process which must not be too hurried).
- It would enable CNPA to abandon BL/H1 as a source of affordable housing and make it protected land, for community use including, for example, the provision of space for a skate park primarily for the use of young people. This, in turn, will:
 - Preserve the aspect of this strath.
 - Provide space for recreation and leisure facilities for the young people of Ballater.
 - Secure the future availability of the land for agricultural purposes if this ever became necessary, or if (through climate change) the land quality became upgraded from its present Division 3, Class 2 to Division 3 Class 1 (Att. 12).

In view of the generally accepted importance of the shortage of affordable housing in the CNP area, it is difficult to envisage a sound justification for not taking the above steps in pursuit of the development of affordable housing.

A list of 25 potential sites for affordable housing within the settlement boundary was submitted in response to the MIR. All but one of these were discarded by CNPA, purportedly (as explained during an informal conversation with CNPA personnel) because the owners' willingness to sell had not been established. An updated list of these 25 sites (now 26 following public comments on the "informal consultation" conducted in 2012) is available if required. This update includes amendments resulting from further investigations carried out since the end of the MIR consultation period. This list remains work in progress, and so is not included here, although an update can be obtained on request.

Based on the overall list of 26 sites, a list of sites owned by Aberdeenshire Council is given below, together with estimated affordable housing numbers that they could accommodate, and some very brief notes as to their suitability. Comprehensive notes are available if required. The original site numbers as used in the response to the MIR by B&CCC, have been retained:

1. Site 2) Dundarroch Road (south side, western end). 4 units. Heavily treed, small site. Opposition from nearby residents.
2. Site 5) Old School, School Lane and Abergeldie Road. 10 units. It appears that Aberdeenshire Council is preparing to dispose of this site.
3. Site 8) Land behind the old petrol station on Station Square, including the shop on Braemar Road bridge. 2 units. A small site, heavily treed.
4. Site 10) Car park (part of) behind Glen Muick Church. 6 units. Was identified as a potential housing site by PFBE in October 2009. Requires clear definition of interaction with Stagecoach buses tour buses and car parking requirements.
5. Site 13) Land between fire station and Dee Street. 10 units. Inside SEPA indicative flood plain.
6. Site 15) Monaltrie Park (part of). 10 units. It would be more practical to locate around 10 affordable houses close to the medical centre (ie, at the south-west corner of Monaltrie Park) than to force people (especially the elderly) to walk from BL/H1 into the village centre.
7. Site 16) Land by Sluiemohr (south east end of Sir Patrick Geddes Way). 8 units. Under development for affordable housing.

8. Site 18) Land at corner of South Deeside and Craigview Roads. 8 units. Currently for sale by Aberdeenshire Council.
9. Site 20) Primary school grounds (Monaltrie Avenue). 10 units. Moderately heavily treed area (silver birch). Would probably meet some resistance but an area of land big enough for around 10 units has been fenced off from the school to prevent pupils from walking in dog waste.
10. Site 22) Old Station Place (opposite site 18). 4 units. Although the site is not perfectly level, it could accommodate about 4 units.
11. Site 26) Council depot building at corner of Deebank and Braichlie Roads. 4 units. Probably big enough for 4 two bedroomed flats, with limited off-street parking.

In arriving at decisions on which of the sites should be considered for affordable housing, the Ballater community should be fully involved in the assessment of potential housing sites and this involvement should be actively sponsored and facilitated by CNPA. Since the residents of Ballater will have to take ultimate responsibility for (ie, live with) the consequences of the actions and decisions taken, they must be given some measure of control over what is done.

Funding Affordable Housing

Funding of affordable housing is a problem, by whatever means it is provided. Innovative schemes for funding, that do not destroy Ballater's sense of place are needed and this must be the focus of high quality consideration. However, there are some factors that might belie the argument that 100 per cent affordable housing is less easy to finance than that resulting from planning gain:

1. Affordable houses created via planning gain do not come free of charge. The developer is required to provide an agreed number of serviced plots (nominally 25 per cent), at a discount to the open market value. These plots, even at a discount, need to be purchased and money has to be found for the construction of the dwellings. Bearing in mind that the alternative approach (as proposed above) can start off with a small, pre-existing building with all services laid on, or a small parcel of land protected by CNPA for affordable-only housing (which might be available at an affordable price) the potential opportunities for an attractive deal to be struck are numerous (especially in view of CNPA's declared willingness to "consider the protection of small parcels of land for 100 per cent affordable development" as quoted above).

unpaid
redress given

2. Before the “credit crunch” occurred, thereby providing an ample supply of new explanations for failing to deliver affordable housing, those responsible for non-delivery (during the “boom” years) presumably had access to an adequate supply of explanations to draw from. One might ponder over the question of what novel explanations might be deployed to excuse continuing delivery failure in the future, when the economic malaise has passed. So, it is difficult to prove that funding is, in fact a valid reason for non-delivery.
3. The truly scarce resource in Ballater that is more likely to undermine achievement of its housing aspirations over the long term may not be financial constraints, but shortage of suitable land for building while preserving its sense of place. The authorities must not continue to allow this resource to be frittered away on more open market housing, much of which will inevitably be left empty.

Attachments

- 1 E-mail from Di Alexander (CNPA) to Phil Swan dated 4/09/2012.
- 2 Letter from Aberdeenshire Council to Victor Jordan dated 25/04/2013.
- 3 “A Vision for Ballater and Vicinity”, B&CCC, 27/10/2010.
- 4 CNPA Paper 5, 16/11/2007 (Paragraph 1).
- 5 Petition Analysis Report dated 15/04/2009.
- 6 CNPA Paper 2, 16/03/2012, paragraph 8.
- 7 Letter from PFBE to CNPA, dated 28th September 2007.
- 8 Draft “Proposed Affordable Housing Policy for Ballater, B&CCC, 19th October 2011.
- 9 Email correspondence between Phil Swan and Aberdeenshire Council re ownership of land inside Ballater settlement boundary.
- 10 Email correspondence between Phil Swan and Aberdeenshire Council re potential sale of land inside Ballater settlement boundary.
- 11 Email correspondence between Phil Swan and Invercauld Estate re sale of land inside Ballater settlement boundary.
- 12 Email correspondence between Phil Swan and the Hutton Land Research Institute.

Phil Swan 2nd July 2013

Cairngorms National
Park Authority
05 JUL 2013
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Cairngorms National Park Proposed Local Development Plan

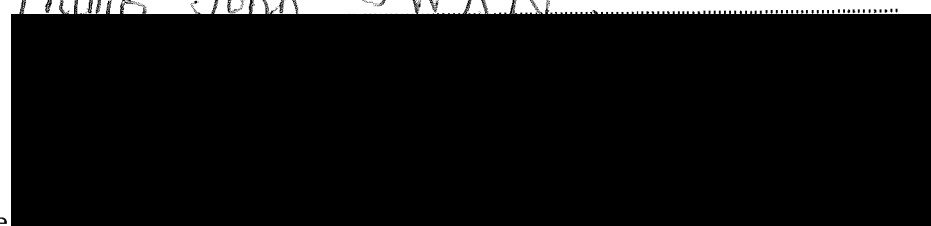
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Official Use Only
Reference:
Objection No:

Form for representations on the Cairngorms National Park Proposed Local Development Plan

Please read the explanatory notes inside the front cover of the proposed Local Development Plan before completing this form. The deadline for returning completed forms is 4pm, Friday 5 July 2013. The forms can also be completed online at www.cairngorms.co.uk. You can photocopy this form, or further copies are available from the Cairngorms National Park Authority offices or can be printed from our website.

Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name Phillip John SWAN
Address 
Telephone 01463 750000

2. If you are representing a third party, please give their details.
Name
Address
.....
..... Postcode
Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.
CONSULTATIONS

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).
See separate representation

4. Continued

5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection.

The consultation on the proposed local plan should be relaunched starting with the main issues report and the defects referred to by me in my representation remedied

5 July 2013

Please return all completed forms to:

FREEPOST (RSHS-BHKL-KXHS)
Cairngorms National Park Authority
Albert Memorial Hall, Station Square
Ballater
AB35 5QB

Or email: localplan@cairngorms.co.uk

Forms should be returned no later than 4pm, Friday 5 July 2013.

After that date, you will be contacted by a representative of the Cairngorms National Park Authority with regard to your objections.

If you have any queries regarding completion of the comments form, or require further assistance, please contact the Development Plan team at the CNPA Ballater office:

Tel: 013397 53601 Email: localplan@cairngorms.co.uk

www.cairngorms.co.uk

Data Protection

Details provided will only be used for purposes associated with the Local Development Plan. You may request to see personal information held by the CNPA at any time. Information will be shared with the Scottish Government Department of Planning and Environmental Appeals and may be published on our website. We will not publish address details but may publish the name of the person who has completed the form. By completing and submitting the form, you are consenting to the above.



CAIRNGORMS NATIONAL PARK AUTHORITY
PROPOSED LOCAL DEVELOPMENT PLAN - COMMENTS BY PHIL SWAN

Issue: CNPA's Consultation Process is Flawed in its Execution

Reference Documents:

Objection 1: None applicable.

Objection 2: Ref 1 – Main Issues Report Question 4

Ref 2 – CNPA Meeting 16th March 2012, Paper 2, paragraph 8

Ref 3 – CNPA Meeting 16th March 2012, Minutes, paragraph 20 d)

Objection 3: Ref 4 – Proposed LDP, paragraph 17.2, page 71

Objection 1 – A Large Sector of the Population Has Been Excluded from the Consultation Process

This objection is not concerned with the content of the proposed Local Development Plan or any of the supporting documentation put out for consultation. Nor does it examine or comment on the question of adherence to any "community engagement" standards. It does, however, relate to a matter of serious (albeit possibly unintended) discrimination against an ill-defined sector of the population, resulting from CNPA's actions (despite having been advised of this same problem in my response to the Main Issues Report). My advice was not acknowledged, challenged nor heeded. However the issue, which I describe below, is unresolved. My comments under Equalities Impact Assessment are also relevant to this issue.

A sizeable proportion of CNP residents have been denied reasonable access to the consultation process for the proposed LDP and the circumstances of these people are being substantially ignored by CNPA. They are residents who do not, in practice, have sufficient access to key documents such as the proposed LDP and other documents to enable them to make a proper study of what is proposed and therefore they are unable to make well-informed comments. These people are not stupid or in any way incapable of critical review of complex documents. I have met many residents of Ballater and its vicinity who are in such a position with respect to this consultation. They include people who:

- a) live in locations where broadband performance is not adequate, or
- b) are elderly and cannot maintain a level of expertise sufficient to use the internet, or
- c) are exercising their freedom of choice not to operate or own the required equipment, or
- d) are of limited financial means and cannot afford personal access to such home-based facilities, and

- e) do not have ready access to public libraries or CNPA offices, due to ill health or age-related infirmities.

From a random sample of residents I have spoken to, 18 out of 60 clearly were inhibited by some of the above circumstances. I estimate the total number of people in the settlement of Ballater and its vicinity who find themselves in such a situation to be in excess of 25 per cent the total population. This is too large a number to be ignored on the presumption that their opinions would add nothing to the quality of the LDP. Even if such a presumption were accurate, this situation remains, in my view, an infringement of the human rights of those people in the circumstances identified above.

CNPA has in fact done very little to identify or assist such people in becoming aware of or involved in the consultation process. I also raised this matter under the topic of Equalities.

Requested Changes to the LDP:

I cannot specify precisely what changes should be made to the content of the LDP. However, CNPA must be honest with the public apropos the question of how much importance it attaches to matters of public concern. It is evident to me that this is not very high, nor does the founding legislation (the National Parks (Scotland) Act 2000) require it. However, CNPA should make a deliberate decision to take a high moral stance on this and voluntarily embrace public opinion more enthusiastically. With that in mind, the consultation process for the proposed LDP and supporting documents should be re-launched, with appropriate measures incorporated to enhance public awareness and desire for participation, by means of a proactive programme (eg, including more and earlier advertising, targeting individual residents in the CNP rural areas, especially those living in remote locations). Better measures should be designed into the process for future consultations of this kind. I am urging that a radical step change be introduced into the effort required of the authors and sponsors of the documents.

Objection 2 – CNPA has Misled the Public (Over Statutory Requirements for Open Market Housing)

After adoption of the current Local Plan (October 2010), in consultation on the Main Issues Report (MIR), from 19th September to 9th December 2011, people were asked to state their preferred “option” for delivering affordable housing, under Question 4 of the MIR (Ref. 1). Across the Park and in Ballater, some 85 per cent of respondents selected “Option 2”, indicating that all new-build housing should be affordable only, with no new open market housing and no large developments. On 16th March 2012, CNPA acknowledged overwhelming public support for Option 2 (Ref. 2) but, according to paragraph 20(d) of the minutes (Ref. 3) of that meeting of the Board rejected these views apparently because “The

fact remained that there was a statutory requirement for a Local Development Plan to provide land for open market housing.”

In correspondence (Att. 1) on this specific subject during 2012, between Mr Victor Jordan, a Ballater resident and Jane Hope, the then CEO of CNPA, CNPA’s claim of being under an obligation, either by enactment or government policy to provide for open market housing, whatever the circumstances, was shown to be untrue. Ms Hope, in a letter of 2nd August 2012, undertook that “We will bear your points in mind as we progress the Draft Local Development Plan.” Subsequently, through email correspondence (Att. 2), CNPA cited Scottish Planning Policy (SPP) as the source of this “statutory requirement”. Since then, following further requests of CNPA for clarification, CNPA has confirmed “that nowhere does the wording of SPP “compel” the CNPA or any other planning authority to build open market housing”. Failures of integrity such as in the case being put forward by CNPA for adhering to a dysfunctional housing policy, raises ominous suspicions in the public mind. It is becoming increasingly difficult to determine how one can communicate effectively with an organisation that behaves in this manner.

Requested Changes to the Proposed LDP:

CNPA should actively embrace the adoption of Option 2 from the MIR Question 4 for Ballater. Failing this, it should re-launch the MIR consultation process.

Objection 3 – CNPA has Misrepresented the Ballater Community “Vision”

The proposed LDP, at paragraph 17.2 on page 71 (Ref. 4) quotes the following text for a “vision” for Ballater:

“The Ballater community is proud of its community spirit, quality of life and exceptional, unspoilt environment. The community want to ensure that the same advantages they enjoy are passed on to future generations.

17.2 To make this happen, quality and affordable housing to meet local needs is seen as a priority, provided using redevelopment opportunities where possible.”

However, the agreed text of the Ballater vision includes the following additional clause in brackets: “.....quality and affordable housing to meet local needs will be supported. This should be done using existing real estate and redevelopment where possible (*rather than new open market house building*), to avoid harm to the visual and natural environment.”

There have been two separate episodes, spanning a period of about 18 months, in which I have pointed out to CNPA that its key documentation does not contain the agreed critical wording, in a manner that could be detrimental to Ballater community (Att. 3).

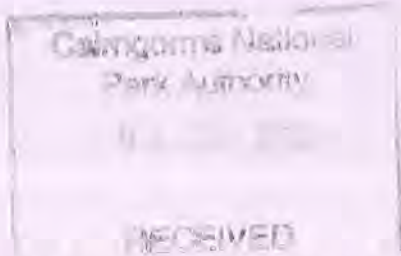
Accordingly, I object to the omission, at page 71 of the proposed LDP of the clause “(rather than new open market house building)” from the text of the plan for Ballater.

Requested Changes to LDP:

Reinstate the omitted clause as specified above in all relevant CNPA documentation.

Attachments:

1. Correspondence (Atts 1a to 1d inclusive) between Victor FJ Jordan and Jane Hope (CNPA).
2. Email correspondence between Phil Swan and Murray Ferguson (CNPA).
3. Email correspondence between Phil Swan and Claire Ross/Murray Ferguson (CNPA).




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Reference:
Objection No:

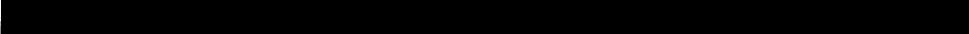
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Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name PHILLIP SWAN

Address 

Telephone 

2. If you are representing a third party, please give their details.

Name

Address

..... Postcode

Telephone Email

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.

EQUALITIES IMPACT ASSESSMENT - CNPA DOCUMENT 1887

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).

A LARGE SECTOR OF THE COMMUNITY IS DENIED APPROPRIATE ACCESS TO THE CONSULTATION PROCESS. ALSO, THE PUBLIC HAVE BEEN MISLED SUCH THAT THEIR HUMAN RIGHTS MAY HAVE BEEN COMPROMISED.

REFER TO ATTACHED DOCUMENT FOR FULL EXPLANATION

CAIRNGORMS NATIONAL PARK AUTHORITY

PROPOSED LOCAL DEVELOPMENT PLAN – COMMENTS BY PHIL SWAN

Issue: The Equality Impact Assessment is not Adequate

Reference Documents: CNPA Paper 1887, Equality Impact Assessment

1. CNPA's answer to Q 5a).

Q 5a) asks "Does your project impact on people? (eg service users, businesses, employees, wider community)

- CNPA answered "Yes"
- Requested "detail below, noting target audiences."
- CNPA responded "People living and operating in the Park wishing to apply for planning permission to carry out development."

Objections:

- The response to Q 5a) has failed to acknowledge that there are many people living in the Park area who have no interest in development but who will be significantly affected by the project called the Local Development Plan.

Requested changes to Local Development Plan:

- Response to Q 5a) should be amended to read: "All people living and operating in and visiting the Park will be affected by the implementation of the proposed LDP".

2. CNPA's answer to Q 9.

- Q9 asks: "Could the project have implications for human rights?"
- CNPA answered: "N/A".

Objections:

1. Residents of the CNP have been severely disadvantaged by the actions of CNPA, both before the adoption of the current Local Plan and since the consultation processes (including the Main Issues Report) commenced in preparation for the LDP. Specifically, the public were seriously misled by CNPA in the presentation of the MIR. They were offered, amongst other things, an option for development of affordable housing, known as "Option 2", which would have meant all new housing would be affordable only. The question of which option to adopt is of signal importance to Ballater and the economic survival of its tourism business, which relies very heavily on preserving the "sense of place" that pervades the settlement. This sense of place would be lost if CNPA's plan to make provision for up to for up to 250

new houses northeast of Monaltrie Park were implemented. If CNPA's preferred approach is adopted as described in the MIR, then Ballater's economy may suffer a severe and permanent deterioration. CNPA has been advised of this on many occasions (most recently in responses to the MIR) but appears to be unwilling to believe it. Eighty five per cent of all respondents to the MIR chose Option 2 in good faith, believing the word "option" to mean "something that can be chosen", only to be told by CNPA that it was burdened by "statutory obligations" to build market housing in Ballater. It is therefore highly inappropriate for CNPA to declare, in answer to Question 9: "N/A". CNPA continues to promote large scale building of open market housing as a vehicle for delivering needed affordable housing. CNPA's intransigence will create a legacy of disadvantage and unhappiness for the people of Ballater for many years to come. In fact, this closed-minded attitude towards the residents of the CNP is already beginning to result in noticeable levels of personal distress for some people, particularly amongst some elderly members of the community. In summary, I regard this conduct by CNPA to be a potential breach of their human rights.

2. This objection is not concerned with the content of the proposed Local Development Plan or any of the supporting documentation put out for consultation. Nor does it examine or comment on the question of adherence to any "community engagement" standards. It does, however, relate to a matter of serious (albeit possibly unintended) discrimination against an ill-defined sector of the population, resulting from CNPA's actions (despite having been advised of this same problem in my response to the Main Issues Report). My advice was not acknowledged, challenged nor heeded. However the issue, which I describe below, is unresolved. My comments under Equalities Impact Assessment are also relevant to this issue.

A sizeable proportion of the community is being denied reasonable access to the consultation process for the LDP and the circumstances of these people are being substantially ignored by CNPA. These are residents who do not, in practice, have sufficient access to documents for proper review, including: a) those people who live in locations where broadband performance is not adequate, b) elderly people who cannot technically maintain a level of expertise sufficient to use the internet, c) people who exercise their freedom of choice not to operate or own the required equipment, d) those people of limited financial means who cannot afford such home-based facilities and e) those who do not have ready access to public libraries or CNPA offices due to ill health or age-related infirmities. I estimate the total number of people in the settlement of Ballater and its vicinity who fall into one or more of the above categories to be in excess of

25 per cent of the relevant population. This is too large a proportion of the population to be left out of the consultation process. CNPA has in fact done very little to identify or assist such people in becoming aware of or involved in the consultation process.

From a random sample of residents I have spoken to, 18 out of 60 clearly were inhibited by some of the above circumstances. I estimate the total number of people in the settlement of Ballater and its vicinity who find themselves in such a situation to be in excess of 25 per cent the total population. This is too large a number to be ignored on the presumption that their opinions would add nothing to the quality of the LDP. Even if such a presumption were accurate, this situation remains, in my view, an infringement of the human rights of those people in the circumstances identified above.

CNPA has in fact done very little to identify or assist such people in becoming aware of or involved in the consultation process. I also raised this matter under the topic of Consultation.

Requested Changes to the LDP:

I cannot specify precisely what changes should be made to the content of the LDP.

However, CNPA must be more honest with the public about how much importance it attaches to matters of public concern. It seems this is not very high, nor does the founding legislation (the National Parks (Scotland) Act 2000) appear to require it.

I believe CNPA should make a deliberate decision to take a high moral stance on this and voluntarily embrace public opinion more enthusiastically. With that in mind, the consultation process for the proposed LDP and supporting documents should be re-launched, with appropriate measures incorporated to enhance public awareness and desire for participation, by means of a proactive programme (eg, including more and earlier advertising, targeting individual residents in the CNP rural areas, especially those living in remote locations). Better measures should be designed into the process for future consultations of this kind. I am urging that a radical step change be introduced into the effort required of the authors and sponsors of the document.

I believe the concerns I have laid out above are of sufficient seriousness and scale to justify insistence on a full Equalities Impact Assessment, to be conducted by CNPA.

Phil Swan 16th June 2013

CAIRNGORMS NATIONAL PARK AUTHORITY

PROPOSED LOCAL DEVELOPMENT PLAN – COMMENTS BY PHIL SWAN

Issue: The Transport Appraisal, Spacial Strategy and Core Paths Concepts are Products of Muddled Thinking and Lack of Reality

Reference Documents: CNPA Paper 1880, Proposed Local Development Plan, Sections 1.21 to 1.23, and Figure 3, page 12
CNPA Paper 1881, Supplementary Guidance, Map 6, page 117
CNPA Paper 1886, Transport Appraisal

General Points

1. I am concerned that the above CNPA documents indicate muddled thinking and lack of coherence and reality.
2. Transport can be a costly experience, both economically and environmentally. Therefore, unnecessary use of transport might reasonably be viewed as something to avoid. There are, I believe, only four fundamentally distinct purposes for transport:
 - a) Resource distribution, ie to move physical materials from points of supply towards points of use.
 - b) Social – to enable people to meet each other, or for purely amenity value of going away from one's own habitat.
 - c) Work transport – between work and home, either on a daily basis or longer term missions.
 - d) Local – for people to move around within the vicinity of their own settlement (for various reasons, including any of the first three).
3. I believe that each of the above 4 purposes for transport should initially be reviewed separately, to examine how each one may, in various ways, be made more efficient in environmental and economic terms. Then, it might be possible to find synergies between the ways in which these needs are met, which could yield further opportunities for sensible integration of the aims of the National Park.
4. The major road and rail routes that cross the north-western side of the CNP area have very little to do with Ballater, and possibly not much

more to do with any of the CNP settlements along their routes. They are just "there". The statement in the LDP, paragraph 1.21, that "The settlements of the Park are linked by a network of trunk roads and the Perth to Inverness railway appears to have been written by a person who was not aware that Ballater and Braemar are parts of the CNP, for this is a fallacious statement to apply to these two settlements. Similarly, the statement in paragraph 1.22 that "There are clear opportunities for economic growth and diversification within, between and around the existing settlements of the Park" begs the question: "What is meant by the terms economic growth and diversification?" More specifically, I would like the author of this document to elaborate on the meaning of this statement in the context of the blue corridor between Ballater and Braemar, as shown on the so-called "strategy diagram in Figure 3 on page 12.

- Gen
5. At a Park-wide level, I am surprised that the documents, in their attempt to downgrade the car as the preferred means of transport, to a position behind walking and cycling (a worthy objective), do not attempt to promote some means of satisfying the need for transport associated with purposes 2b) and 2c) above by replacing them through the deployment of e-technology, which would be very helpful in winter when the transport system between the Ballater-Braemar "corridor" and the overdeveloped ribbon along the north-west edge of the CNP becomes dysfunctional due to the weather. The transparently artificial attempt made in these few brief paragraphs of the LDP to construct a case for any kind of linkage involving economic development between these isolated parts of the CNP, is as weak in its concept as it will be disastrous in its implementation.

Ballater-Specific Points

- Needlepoint
6. At a Ballater-specific level, I am concerned about the spatial strategy being pursued in the LDP.
 7. This has some bearing on Transport Appraisal. By building new houses across the strath beyond the north-eastern side of Monaltrie Park, the LDP will undermine its own worthy objective of reducing car dependency in the settlement. This is because the climate in Ballater is rarely supportive of long walks or bicycle usage, especially for the older

or infirm residents, and we know that the population of Ballater, along with CNP generally, is aging faster than the rest of Scotland.

8. If residents are to be encouraged to use "muscle power" for local / personal transport, then the LDP must make this as easy as possible by minimising journey distances.
9. This means any new needed housing would be better located as close to the existing settlement centre as possible, rather than across the far edge of Monaltrie Park. This point was raised by Ballater & Crathie Community Council in response to the Main Issues Report (MIR) but does not appear to have been noticed by CNPA, as it was not acknowledged, challenged or taken up in the proposed LDP.
10. Using the suggested definitions for transport needs (in paragraph 2 above) it is possible to make a rational and structured evaluation of the Core Paths in Map 6 (Ballater). From this, it seems that all core paths in Ballater and its vicinity are "Local" in their purpose, also including mainly "Social" content. This might dictate the required quality for each route. However, the following additional conditions could be considered relevant to the analysis:
- UDE3, Deeside Way. In the short section from the village centre (Station Square) to Pannanich Road this might be upgraded to allow for some use as "Work" transport, or even a degree of "Resource Distribution". Beyond Pannanich Road it is purely "Social".
 - UDE31, Cnder Path. Between the medical centre and Morven Way, this might be considered for some further upgrading, to allow residents of Morven Way to use it (as they may already do) for "Work" and "Resource Distribution" (eg, shopping) as well as "Social". What such upgrading might involve would need evaluation, at a very local level.
 - UED30, Oraigendarroch Circular Walk. Much of this route could be challenged as justifiable Core Path status, because upgrading to the required standard would spoil its character. I consider it should not have been given such status. My preference would be to downgrade this route, ie remove Core Path status from it.
 - UED60, Ballater to Oraigendarroch Hotel. This has some "Work" in addition to "Social" but no upgrading is justified for this.

11. I agree with CNPA in saying that this settlement (Ballater) does not affect the strategic transport network.

12. The Transport Appraisal states "The development of the larger housing site at Monaltrie Park will require a detailed masterplan which will consider all options for transport and access. This will include both access to the site, and movement within it. It will also consider the way the development links to the existing path network, and in particular the village core, the school, and the Deeside Way. Other allocations and proposals will not have any significant effect on the local transport network." I consider these statements to be largely redundant and should be removed, as the site at Monaltrie Park (BL/H1) is not, in my opinion, the correct location for new development, as I have shown in other parts of my submission.

Phil Swan 16th June 2013

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KINGUSSIE AND VICINITY COMMUNITY COUNCIL

Replies to:

KVCC Secretary

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] 2
[REDACTED]

Ms K Major
Development Planning Officer
Cairngorms National Park Authority
Albert Memorial Hall
Ballater AB35 5QB

25 July 2013

Dear Ms Major,

Public Consultation on the Proposed Local Development Plan and Associated Documents

Kingussie and Vicinity Community Councillors have discussed the above plan and map of the area that you provided. On their behalf I append KVCC's comments.

Responses to the Kingussie section (ch. 36) and the accompanying map in the LDP, with suggestions for amendments and corrections.

KINGUSSIE SECTION OF THE LDP AND MAP.

(A) The Kingussie settlement boundary and core area map:

1. We agree that the boundaries as shown do represent the main settlement area, although the boundary agreed with Highland Council as representing Kingussie covers a much wider area. We note that the small community settlement close by Ruthven Barracks, around Gordon Hall Farm and Croy are excluded by the designations, yet are part of the larger Kingussie territorial area.

(B) Community areas (coloured pink)

2. The current designated areas omit the community area opposite the Badenoch Centre and adjoining the site of the Bowls Club, at the western end of Spey Street and adjacent to the River Gynack. This area is subject to flooding. It was formerly set out as a putting green, but after the last major flooding by the Gynack in December 2006 when it was seriously affected, it was restored just as a green open space. It is still used for informal outdoor sporting activities by the community, and by the Badenoch Centre for light physical team and exercise activities. In our view it should be retained for community use.

Addition: This area should be designated as a community space to protect it from any inappropriate development.

3. The map currently does not show all of the open space surrounding the Kingussie High School buildings in green as open recreational space for use by the school students and staff.

(C) Economic Development Areas

Councillors are very concerned about, and object to the change to the area marked as ED1 on the new location map and text on p.165.

4. The 2010 Local Plan map designated a larger area encompassing the entire former Highland Folk Museum site for economic development (ED2); it included all the buildings (apart from the Museum Store) and the land, as well as the adjacent car park.

5. The new proposals exclude the main buildings: Pitmain Lodge or Am Fasgadh, McRobert House and the Museum Store as well as the land immediately surrounding them, plus the land in front of Pitmain Lodge running down to the railway and also the car park. (On the new proposed plan the smaller site is designated ED1). The whole of the Museum site has been used for economic reasons for at least fifty years and this should not change.

6. Both Pitmain Lodge (Am Fasgadh) and McRobert House are listed buildings and so should receive special protection as important aspects of Kingussie's cultural heritage (36.11). They are among the earliest buildings in the planned town dating from the 1770s.

Councillors feel strongly that the original area designated for economic development in the 2010 local plan should be retained and not reduced and should also include the Museum Store.

7. On behalf of the community, several councillors have set up a community company - The Am Fasgadh Regeneration Company (Kingussie) Ltd (Arc) as part of the drive to effect the regeneration of Kingussie as a whole. The directors have registered community rights to buy for the whole site and all the buildings, with the aim of restoring the site and buildings and bringing them back into economic use. The company has already acquired part of the land bordered by the railway and Manse Road from Highland Council and it is in the process of being converted into community allotments, growing spaces, a community orchard and an area for a horticultural project.

8. Whilst KVCC does not object to the designation of the car park for community use, C2, the intention is to include this area in the purchase by ARC and to retain it as a car park for use by the community and visitors. We request that the area marked C2 should be retained as part of the Am Fasgadh site complex.

9. No explanation has been given as to why the original area of newly designated ED1 has been reduced. Councillors are concerned that if the main buildings and part of the land are not included in the economic designation, this part of the site could be sold off and lost to the community as part of the overall economic regeneration project. It would reduce the potential for further economic development in Kingussie.

Addition requested: Councillors request that the whole of the former Highland Folk Museum site and all the buildings should be included in the designation of ED1 so as to ensure that the opportunity for economic regeneration of Kingussie is not reduced.

10. Correction needed to a compass direction - the small area of land for economic development, ED1, south of the railway line and adjacent to the water treatment works, and said to lie to the **west of Spey Street** does in fact lie to **south east of Spey Street!**

Ensure the Am Fasgadh site and the land to the south of the railway is correctly designated as lying to the east of Spey Street and to the west of Manse Road.

11. Correction needed:

The 2013 LDP continues to state that "part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will therefore be required to accompany any development proposals for this site."

It is important to note that the part of the site which lies within SEPA's indicative flood risk area is not the Am Fasgadh site.

Inspection of SEPA's Indicative River and Coastal Flood Map

(www.sepa.org.uk/flooding/flood_extent_maps) shows that the area at risk of flooding lies on the other side of the railway line to Am Fasgadh.

Make it clear that the Am Fasgadh site is not at risk.

12. ED2 and ED3 We are pleased to note the inclusion of these sites will protect them in the future. Councillors are of the view, however, that several other sites in Kingussie have not been so designated so as to protect them in the future: (a) industrial buildings and land lying on the north side of the railway line, adjacent to and on the western side of the railway station buildings; (b) the land currently used as "a metals scrap yard" on the south of the railway line at the eastern end of Kingussie and adjacent to part of the area now designated as ED1.

Additions: We request that these areas are included as areas for economic development.

13. Councillors also commented that the area marked in grey (existing permissions) on the map to the north and NE of the existing main settlement does not indicate that the part of the site bounded by the line of the A9, the A86 and the line of the General Wade Road has permission for economic development. This is important since it provides some opportunity for contributing to the infrastructure and economic well-being of the community.

(D) Extracts from the textual part of the development plan; Section 36 Kingussie.

14. Correction needed: page 162. In paras 36.1 and 36.2 Kingussie is correctly designated as a town. However in paras 36.3, 36.4 and 36.5 it is incorrectly referred to as a "village". These errors require correction so the designation is consistent and correct - **Kingussie is a town.**

15. page 163 para 36.5 - point 2 - reference to the woodland north of the settlement boundary. Councillors are anxious that the area of woodland lying to the north of West Terrace is indeed protected from any development in future. In addition to the recognition that it is probably original

native birch woodland and included in the Ancient Woodland Directory, it contributes the overall landscape and woodland setting of the town, so it is important that it is protected. The woodland setting of existing housing on the slopes above the main town is one of the most attractive features of Kingussie and all new housing developments should include substantial similar planting to echo and support this important feature.

16. Corrections needed: page 163 Natural Heritage para 36.5 point 3. The text here is misleading. The land designated as a Ramsar Convention site, SAC, SPA and SSSI lying to the south of the railway does in fact lie on both sides of the Ruthven Road! The map included in the report only illustrates the designated land lying to the **east** of the Ruthven Road, whereas it is obvious that it also lies on the west of the road and connects up with the similarly designated land along the River Spey at Newtonmore. **This needs correction.**

17. page 163 para 36.9 Landscape priorities and opportunities.
page 164 paras 36.10 and 36.11 Cultural heritage

Councillors fully endorse the sentiments expressed in these paragraphs.

18. page 165 Proposals

Housing. In the current economic climate, councillors are of the opinion that unless the economy and housing demand pick up significantly, the current planning permissions for housing development will more than suffice for the next ten years, not five as indicated in the draft LDP.

Kingussie and Vicinity Community Councillors trust that all our concerns and the points we have made will be fully addressed.

Yours sincerely,

Alan Davidson

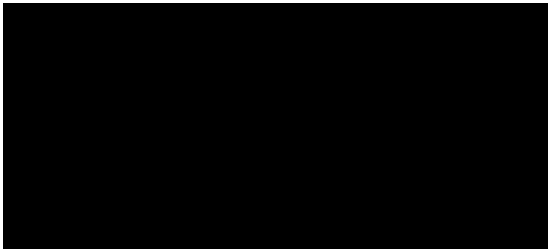
KVCC Chairman

**Delayed Office Opening for
Employee Training**

*This Office will be closed from 8.45am –
11.00am on the 1st Thursday of each
month*

Planning and Regeneration
Head of Service **David Littlejohn**

Karen Major
Development Planning Manager
Development Planning Team
Cairngorms National Park Authority
Albert Memorial Hall
Station Square
Ballater
AB35 5QB



Our ref S3/2
Your ref
Date 3rd July 2013

Dear Ms Major,

**Cairngorms National Park Authority: Proposed Local Development Plan and
associated Supplementary Guidance**

Thank you for your letter of 11th April 2013 relating to the above. The proposed LDP has been produced to a high standard and I would compliment the Park Authority on the quality of the production. However there are some issues that I wish to raise as formal representations.

1 Strategy Diagram page 12

Issue

The settlements are shown as yellow dots in the diagram but red dots in the key. There are four settlements listed in the plan along the A9 corridor (Blair Atholl, Killiecrankie, Bruar/Pitgowan and Calvine) and only three dots shown in the Diagram.

Modification sought

Key and the diagram to be clear and the same and the listed settlements to all be shown in the diagram and named.

Reason

For clarity and to aid understanding of the Plan

Note this diagram does not appear in the online version of the plan which may have restricted representations.

2. Policy: New Housing Development – Affordable Housing

Issues

The Cairngorms National Park Authority are not a housing authority, but the Supplementary Guidance Part 2 – “New Housing Development” makes reference to any commuted sums being used for provision in the “*local Area*”. The local area is also further defined in paragraph 2.17 as being the relevant secondary school catchment. This does not reflect the policies of all the housing authorities covered by the Cairngorms National Park area where some (Aberdeenshire) will look to spend commuted sums within the

catchment of the local authority but others (Angus, Highland and Perth and Kinross) will look to spend commuted sums within the same Housing Market Area in which they are collected.

Modification sought

The Supplementary Guidance should be amended in paragraph 2.17 to state that “The contribution will be put towards the provision of affordable housing to meet the need in the same housing market area or other such appropriate area as defined by the relevant housing authority.”

Reason

To reflect the existing delivery mechanisms of all housing authorities within the Park area.

3. Settlement boundaries

Issues

There are no settlement boundaries or maps for Braur/Pitagowan, Calvine and Glenshee despite them being identified as settlements in the strategy diagram (see above) and the plan containing text which indicates that they are settlements. The plan also contains policy text at paragraph 13.7 which indicates that settlement boundaries will be identified and development outwith the boundaries will be resisted. This seems a confusing and inconsistent approach.

Modification sought

Settlement boundaries identified for Braur/Pitagowan, Calvine and Glenshee based on those shown in the Perth & Kinross Highland and Eastern Area Local Plans.

Reason

For clarity and to aid the future implementation of the plan

4. Killiecrankie

Issues

Housing site H1 is shown for 12 houses but only 5 in the action plan. The site is identified as non effective In Perth and Kinross Council’s housing land audit and more recent communication indicates that the owner is unwilling to release it for development. The topography and narrowness of the access will not support a development of 12 houses and a more reasonable and practical approach would be to retain the site within the settlement boundary but not identify it as a specific housing site.

Modification sought

Site H1 not be identified as a specific housing site but the settlement boundary to remain unaltered.

Reason

To take account of current information

Note it might also be useful to give an indication that the entire settlement lies within the Killiecrankie battlefield site as shown on the inventory.

I trust that you find these comments helpful.

email ask 10 June 13

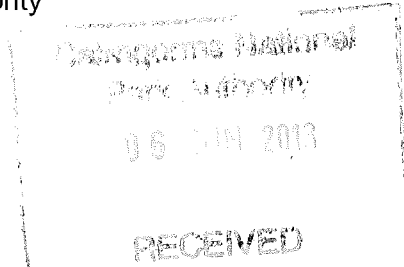


Our Ref: D.2/GDP/IAL

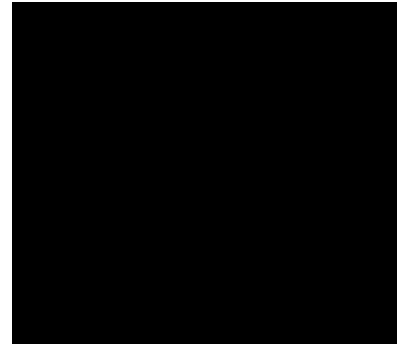
Your Ref: SDPA.FP/SDP/PP/2013_02_22Gen

31 May 2013

Cairngorms National Park Authority
Albert Memorial Hall
Station square
Ballater
AB35 5QB



STRATEGIC DIRECTOR -
COMMUNITIES
Alan McKeown



Dear Sirs

CAIRNGORMS NATIONAL PARK PROPOSED LOCAL DEVELOPMENT PLAN AND ASSOCIATED SUPPLEMENTARY GUIDANCE

I refer to your letter with regard to the above which was received on 15 April 2013.

I enclose for your attention a copy of report 314/13 which was submitted to and approved by the Infrastructure Services Committee at their meeting of 28 May 2013. The Committee agreed the following recommendations:

- (i) note the publication of the Cairngorms National Park Proposed Local Development Plan, Proposed Supplementary Guidance and other related documents;
- (ii) agree this report as the basis of the Council's response to the National Park Authority and that no formal objection is made to the Cairngorms National Park Proposed Local Development Plan;
- (iii) agree that no objection be made to the Core Path Plan for the area of the Park within Angus but recommend that Cairngorms National Park Authority consider the use of a larger scale OS plan to more clearly delineate the route of Core Paths in the Eastern Cairngorm area (which includes Angus);
- (iv) agree that the Cairngorm National Park Proposed Local Development Plan be taken into account as a 'material consideration' for development management purposes in the assessment of planning applications affecting that part of Cairngorm National Park within Angus; and
- (v) refer this report to the Development Standards Committee for noting.

I trust the above is satisfactory.

Yours faithfully



PP **GORDON PYPER**
DEVELOPMENT PLAN MANAGER

ENC

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE – 28 MAY 2013

**CAIRNGORMS NATIONAL PARK AUTHORITY
PROPOSED LOCAL DEVELOPMENT PLAN AND ASSOCIATED SUPPLEMENTARY GUIDANCE**

REPORT BY STRATEGIC DIRECTOR – COMMUNITIES

ABSTRACT This report comments on and provides the suggested basis for the Council's response to the Cairngorms National Park Proposed Local Development Plan. When adopted it will replace the existing Cairngorms Local Plan (2010) and provide the framework for development of that part of the Cairngorms National Park in Angus.

1. RECOMMENDATION(S)

1.1 It is recommended that the Committee:-

- (i) note the publication of the Cairngorms National Park Proposed Local Development Plan, Proposed Supplementary Guidance and other related documents;
- (ii) agree this report as the basis of the Council's response to the National Park Authority and that no formal objection is made to the Cairngorms National Park Proposed Local Development Plan;
- (iii) agree that no objection be made to the Core Path Plan for the area of the Park within Angus but recommend that Cairngorms National Park Authority consider the use of a larger scale OS plan to more clearly delineate the route of Core Paths in the Eastern Cairngorm area (which includes Angus);
- (iv) agree that the Cairngorm National Park Proposed Local Development Plan be taken into account as a 'material consideration' for development management purposes in the assessment of planning applications affecting that part of Cairngorm National Park within Angus; and
- (v) refer this report to the Development Standards Committee for noting.

2. BACKGROUND

- 2.1 The Cairngorms National Park Authority published their Proposed Local Development Plan for formal consultation on Monday 15 April 2013. The period for representations to the Proposed Plan (and related documents) extends until 4pm on Friday 5 July 2013. The Proposed Plan is accompanied by a range of supporting documents: Supplementary Guidance (including revised Core Paths Plan), Proposed Action Programme, Environmental Report (SEA), Habitats Regulation Appraisal, Equality Impact Assessment, Evidence Report, and Transport Appraisal. All of these documents are available to view at www.cairngorms.co.uk/park-authority/planning/local-plan
- 2.2 The Proposed Plan takes account of the response received to the Main Issues Report published in 2011 and subsequent informal consultation on individual settlement maps carried out in 2012.
- 2.3 Members may recall that the Council submitted comments at the Main Issues Report stage, generally supporting the broad approach to land use planning in the Angus part of the Cairngorms National Park (CNP) area as being a pragmatic way of balancing of protection of the intrinsic qualities which make the area attractive and special while seeking to allow for social and economic development in a sustainable manner. (Report 824/11 to Strategic Policy Committee, 6 December 2011 refers).

2.4 This report provides a synopsis of the Proposed Cairngorms Local Development Plan and the basis for a response to the National Park Authority. It also reviews the Core Paths Plan as it relates to Angus interests. A copy of the Proposed Local Development Plan, Action Programme and Supplementary Guidance (including the Core Path Plan) has been made available in the Members' Lounge, Forfar.

3. CAIRNGORMS PROPOSED LOCAL DEVELOPMENT PLAN – SYNOPSIS

3.1 The proposed Cairngorms Local Development Plan will, when adopted, replace the existing land use planning framework provided by the CNP Local Plan (2010) and also that part of the National Park which falls within Perth & Kinross Council Highland Area Local Plan (2000). The new local development plan will assist in delivering the long term vision and strategy set out in the Cairngorms National Park Partnership Plan (2012 -2017) which was approved by Scottish Ministers in May 2012.

3.2 The Vision is of 'an outstanding national park, enjoyed and valued by everyone, where nature and people thrive together'. This will be delivered through three long term outcomes:

- A sustainable economy supporting thriving business and communities;
- People enjoying the Park through outstanding visitor and learning experiences; and
- A special place for people and nature with natural and cultural heritage enhanced.

3.3 For the purposes of land use planning the National Park Authority works alongside five local authorities – Aberdeenshire, Angus, Highland, Moray and Perth & Kinross. The new Local Development Plan and any published supplementary guidance sets out the detailed policies and proposals for the Cairngorms National Park area and will provide the framework against which all planning applications will be judged. Members will recall that at present, with the exception of those proposals which are 'called in' for determination by the National Park Authority, planning applications are dealt with by Angus Council in the context of the National Park Development Plan policy and the agreed protocols established between Angus and Park Authority. It is evident from the following table that the level of planning applications submitted within the Angus part of the National Park area is very modest.

	2012/13	2011/12	2010/11
Total number of planning applications received within Angus part of CN	3	11	0
No called in by CNP for determination	0	1	0

3.4 The Proposed Plan is structured as follows:

- Introduction – vision and spatial strategy.
- Policies – ten main subject areas covering – new housing development; supporting economic growth; sustainable design; natural heritage; landscape; renewable energy; sport and recreation; cultural heritage; resources; and developer contributions. These are supported by relevant supplementary guidance which sets out more detailed information on specific issues, proposals and information which needs to be included as part of a planning application.
- Community information – development guidance on 28 areas set out in three tiers of settlements, namely – strategic, intermediate and rural community. The area within Angus – the Angus Glens - is an example of a rural community area.

3.5 The Plan is accompanied by a **Proposed Action Programme** and **Supplementary Guidance**. The former identifies the actions which will help implement the vision, strategy and proposals of the Plan; it serves as a delivery tool, identifying partners responsible for the actions and a broad timescale for undertaking the actions. It is a 'live document' which will be reviewed, updated and republished at least every two years. There are no actions for Angus Council or specifically proposals in terms of land allocations, infrastructure delivery within the Angus part of the Park.

3.6 Supplementary guidance now has greater weight in planning decision making and forms part of the Local Development Plan. It sets out more detailed information on specific issues, proposals and the information which needs to be included as part of planning applications; this will allow the planning authority to assess whether the proposal meets the standards.

- 3.7 The National Park Authority is also reviewing their Core Path Plan as part of the published supplementary guidance. The intention is to incorporate it into the development plan. The proposed core paths in Angus are part of the Eastern Cairngorm sector and relate to the upper reaches of Glen Isla, Glen Clova/Doll and Glen Esk.
- 3.8 In broad terms the spatial strategy of the National Park area is to focus future activity and growth in the main settlements within the strategic route corridors (such as the A9 - Blair Atholl, Kingussie, Aviemore) and the settled valleys and Straths of the National Park area. These include areas around Grantown on Spey, Tomintoul, Strathdon, Ballater and Braemar.
- 3.9 As noted above there are ten main policy themes and their aims are as follows:
- **New housing development** – provision of good quality housing development that meets the needs of communities and supports economic and community development. While most of the growth is focussed in major settlements opportunity is made for development in existing rural groups, housing in the countryside, contribution towards affordable housing, alterations to existing houses, conversions, replacement houses and housing for gypsies, travellers and travelling showpeople where the need and location have been identified by the relevant local authority housing strategy.
 - **Supporting economic growth** – the policy aims to enable and encourage growth and diversification in the economy of the National Park. Specific guidance is given for retail development, tourism, leisure development and other economic development.
 - **Sustainable design** – aims to ensure that **all** development delivers high standards of design and contributes to the sense of place. Elements of the policy focus on siting and design, the use of materials, impact on the environment including contribution to reduction of carbon emissions, limiting waste and minimising use of resources.
 - **Natural heritage** – the range and quality of natural heritage in the park is unique and internationally valued. This policy will ensure that development conserves and enhances the outstanding natural heritage of the Cairngorms. It deals with international and national designations; other important natural and earth heritage sites and interests; protected species; and other biodiversity.
 - **Landscape** – is one of the Parks most valuable assets. The aim of the policy is to ensure that only development which conserves and enhance the special landscape qualities will be supported.
 - **Renewable energy** – the policy aims to enable appropriate renewable energy generation by harnessing the Parks natural resources within the overall park aims. The policy relates to all forms of renewable energy developments, including hydropower, wind energy, biomass and energy from waste. It should be noted that the National Park Partnership Plan clarifies that while 'large scale commercial wind turbines (one or more turbine of more than 30m in height) are not considered to be appropriate within the National Park or where outside the Park they affect its landscape setting'.
 - **Sport and recreation** – the aim of the policy is to ensure the needs of local communities and visitors for recreational space and facilities are accommodated and existing facilities protected. This included both formal and informal recreation provision.
 - **Cultural heritage** – the cultural heritage of the Park provides a clear link to the history of this part of Scotland. The policy aims to conserve and enhance the rich cultural heritage of the national park The policy covers national designations (eg listed buildings, scheduled ancient monuments etc); conservation areas; other local cultural heritage; enabling development furthering our knowledge; demolition – removal of asset.
 - **Resources** – the policy aims to reduce the overall resource use footprint of the National Park, protect resources where appropriate and ensure use and management of natural resources in an effective way. The policy deals with water resources; flooding; connection to sewerage; waste management and minimisation; minerals; carbon sinks and stores; contaminated land; and landfill.
 - **Developer contributions** – the policy aims to ensure that new development makes an appropriate contribution to managing the impacts of that development on the infrastructure and services of communities. The policy also seeks to ensure that contributions are at a level that maintains viability.

4. DISCUSSION

Impact of the Cairngorms National Park Local Development Plan on Angus

- 4.1 The area of Angus contained within the National Park boundary is primarily the upland areas, covering the heads of four distinct glen systems – Glen Isla, Glen Prosen, Glen Clova and Glen Esk. Other than Clova village the population and pattern of development is very dispersed with housing and farm steadings confined mostly to the valleys and lower slopes of the area. Forestry, farming, land management and sporting estates are the main activities; the area also provides a resource for recreation, tourism and natural heritage interests with good access to the hills and mountains.
- 4.2 Not surprisingly the Proposed Plan focuses on the protection and enhancement of the special qualities of the National Park while seeking to enable sustainable development and economic growth. The bulk of new development will continue to be directed towards strategic and intermediate communities where existing services and facilities are located. The aims of the main policies, proposals (land allocations) and supplementary planning guidance support this broad objective.
- 4.3 The Angus Glens area is identified as a rural community area – tier three in their settlement strategy (see paragraph 3.3 above). The cost of housing and the provision of affordable housing which is energy efficient are identified by the Park Authority as a priority (Proposed Plan, page 60). The Park Authority also identify a need to grow existing and new businesses and improve local services, infrastructure and facilities. Also recognised are the natural/cultural heritage and landscape qualities of the area. The objectives of the Plan for the Angus Glens area are:
- To ensure new development respects the dispersed nature of development in the Angus Glens;
 - To ensure development contributes to the economic wellbeing of the remote community living in the Angus Glens;
 - To retain the Angus Glens as a sparsely populated community where creative solutions to employment and economic growth can thrive; and
 - To ensure the new housing can progress in a way that helps the community remain sustainable.
- 4.4 No specific land allocations for housing, economy or tourism have been identified by the Proposed Plan for the Angus Glens. However infill and windfall development for housing, economy and tourism which supports the needs of the community and meets the objectives for the area will be supported. The Proposed Plan (pages 60 – 62) also establishes general design guidance, developer contributions and infrastructure requirements and the approach to flood risk, water and drainage.

Renewable Energy

- 4.5 In terms of general planning policies, Members will have noted in relation to renewable energy (paragraph 3.9 above) that the National Park Partnership Plan indicates that while 'large scale commercial wind turbines (one or more turbine of more than 30m in height) are not considered to be appropriate within the National Park or where outside the Park they affect its landscape setting'. This has implications for Angus and for consideration of wind energy proposals that are located adjacent to the National Park boundary. The existing Angus Local Plan Review and Renewable Energy Proposals Implementation Guide provide the policy framework for determining all energy development proposals, including wind turbines, in the Angus area. This will be reviewed as part of preparing the new Angus Local Development Plan. As part of that process Consultancy work is progressing with the Landscape Capacity Study for Aberdeenshire and Angus, with support of SNH, and this will provide the basis for establishing the spatial framework for the location of wind turbines over 20mw capacity. It will also provide background for the more general review of policy and guidance on wind turbines. This will of course be reported through Committee as appropriate.

Summary

- 4.6 In conclusion therefore the Head of Planning & Transport considers that the broad approach to land use planning policy set out through the new Proposed Local Development Plan and Supplementary Guidance for the Cairngorm National Park and specifically that part within Angus is generally compatible with the approach set out in the adopted Angus Local Plan Review and the preferred broad spatial strategy set out in the Angus Local Development Plan Main Issues Report. Given the above the Head of Planning & Transport recommends that no formal objection should be made to the Proposed Plan.

Core Paths Plan

- 4.7 With regard to the Proposed Core Paths Plan there is no change for the Angus area when compared to the first Cairngorms Core Paths Plan adopted in 2010. The Proposed Plan identifies the key promoted paths within the Angus glens, as well as longer distance links to Deeside. The Plan also gives core path designation to two sections of adopted public road (path EC15 - Clova to Glen Doll, and part of path EC7 - Trout Loch Path). Adopted roads have not been designated as core paths in the Angus Council Core Paths Plan. The only path which crosses the Park boundary is path EC10 (Ministers Path), which is consistent with the Angus Council Core Paths Plan. Given the above no formal objection should be made to the Proposed Core Path Plan. The Head of Planning & Transport however considers that the scale of the mapping used for Map 2: Eastern Cairngorms makes it difficult to identify the precise line of core paths. While the smaller scale map used allows all the paths in the Eastern Cairngorms area to be illustrated, more detailed mapping using at least an ordnance survey 1:50,000 base map would be more appropriate to be able to clearly identify the route of the path.

5. PROPERTY IMPLICATIONS

There are no property implications arising from this report.

6. RISKS

This report does not require any specific risk issues to be addressed.

7. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report.

8. HUMAN RIGHTS IMPLICATIONS

There are no human rights implications arising from this report.

9. EQUALITIES IMPLICATIONS

The issues dealt with in this report have been the subject of consideration from an equalities perspective (as required by legislation). An equalities impact assessment is not required. It should be noted that Cairngorms National Park have published an Equalities Impact Assessment as part of the document package

10. CONSULTATION

The Chief Executive, Strategic Director – Resources, Strategic Director – Communities, Head of Finance and Head of Law and Administration have been consulted in the preparation of this report.

11. ANGUS COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT

This report responds to a document of an external agency and consequently does not directly contribute to the local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2011-2014.

12. STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

There are no SEA implications for Angus Council. It should be noted that Cairngorm National Park Authority have undertaken SEA of their Proposed Plan and published an Environmental Report.

13. CONSULTATION

The Chief Executive, Strategic Director - Resources, Strategic Director – Communities, Head of Finance and Head of Law and Administration have been consulted in the preparation of this report.

14. CONCLUSION

Publication of the Proposed Plan for the Cairngorm National Park area is a key stage in reviewing and refreshing land use planning policy that will guide investment and development within the Park boundary. With regard to the Angus part of the National Park area there is no significant shift in policy direction that would justify a formal objection to the Proposed Local Development Plan and Supplementary Guidance including the Core paths Plan.

**ALAN MCKEOWN
STRATEGIC DIRECTOR - COMMUNITIES**

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Report 824/11 Cairngorms National Park Local Development Plan Main Issues Report to Strategic Policy Committee, 6 December 2011.
- Cairngorms National Park Proposed Local Development Plan; published by the Cairngorms National Park Authority, April 2013;
- Cairngorms National Park Proposed Local Development Plan, Supplementary Guidance; published by the Cairngorms National Park Authority, April 2013;
- Cairngorms National Park Core Paths Plan; published by the Cairngorms National Park Authority, April 2013;
- Cairngorms National Park Proposed Local Development Plan; Proposed Action Programme, published by the Cairngorms National Park Authority, April 2013

**P&T/GWC/GDP/IAL
15 May 2013**

aviemore & vicinity
community council

"Stand fast, Craigellachie"



Tel. No. [REDACTED]

29th June 2013

Cairngorm National Park Planning Office,
Albert Memorial Hall,
Station Square,
Ballater,
AB35 5BQ

Dear Sir,

Proposed Local Development Plan - Consultation

I refer to the Proposed Local Development Plan Consultation. Aviemore and Vicinity Community Council (AVCC) objects to the following;

Terminology:

AVCC contend that the use of the word 'protected' is no better than the use of the word 'safeguarded'. It is not the word used that is wrong, it is the fact that it is misleading and gives people reading the document the wrong impression. It does not matter what word is used in the Proposed Local Development Plan as it will not mean what it says as it should also say 'unless other Policies dictate otherwise', which gives the terminology a completely different meaning. AVCC feels that the normal person will not look further than the word 'protected' and its accepted meaning and will therefore fail to comprehend the full effect of the document. AVCC is of the opinion that the mere changing of the word is insufficient and that this should be addressed so that there can be no confusion.

Chairman: John Grierson

Vice-Chairman: Alistair Dargie

Secretary: Ray Sefton

Treasurer: Lorna McGibbon

Aviemore Settlement:

The map shown in the Plan is completely out of date. It does not show the new Primary School and Community Centre. The building was completed and opened before the Development Plan was discussed by the Board and published. The map should be accurate. 'It will do' does not suffice in such an important document. This document has to be capable of being read and understood by anybody and not just people living in the Cairngorm National Park area.

AVCC is, in the main, content with the settlement boundary shown on the Settlement Map for Aviemore. However, the settlement boundary adjacent to Dalfaber Road should be extended to the south to allow for one more house. A planning application to build a house at that location has been approved by the CNPA Planning Committee and the settlement boundary should therefore be moved to reflect this.

There is approved planning permission for a 50 bed nursing home at Allt Mòr, Aviemore, ref: 08/443/CP and 2012/0353/DET. This is not shown on the Development Plan and should be.

The area of ground on Dalfaber Drive between the Bowling Green and the Main Railway Line should be shown as designated for community use. CNPA have been aware of community aspirations for this piece of ground for some time. On 22nd April 2005, CNPA granted planning permission for a Community Radio Station and car park at the site. In February 2012 CNPA engaged in discussion with Highland Council on the potential development of the Dalfaber Drive site for use by Air Training Corps (ATC) and for a skate board park. In February 2013 the ATC applied for planning permission for a meeting hall. This area should not be dealt with as 'windfall' and should be designated for 'Community use'.

AVCC would also like to see the area encompassed by the old primary school marked as 'community' use. It is known that Highland Council intend to build houses on the site and have discussed it with AVCC and CNPA. AVCC would like to see the old playing field area of the site retained for 'community use'. Aviemore is short of areas where community facilities such as kick pitches or allotments could be sited. Part of the old playing field area has already been set aside for tree planting. As CNPA are aware of Highland Council intentions for the site it should be included in the plan and not left as 'windfall'.

AVCC accepts that there is a master plan for the Aviemore Centre. However AVCC would like to see some strengthening for the retention of the Strathspey Lawns and Gardens. AVCC would like to see the words 'should be retained as open space' at page 67 changed to 'must be retained as open space'.

Chairman: John Grierson

Vice-Chairman: Alistair Dargie

Secretary: Ray Sefton

Treasurer: Lorna McGibbon

An Camus Mòr:

AVCC is content with the settlement boundaries shown on the Settlement Map for An Camus Mòr. Badenoch and Strathspey needs An Camus Mòr. Nearby Aviemore, the largest community in the Park, is a major tourist resort that no longer has the capacity to provide the housing or business requirements for the ever expanding industry. There is a proven need for the affordable housing that An Camus Mòr will supply. The development will attract further businesses into the area with associated employment.

Inverdrue and Coylumbridge:

AVCC is content with the settlement boundary shown on the Settlement Map for Inverdrue. The Coylumbridge should be extended to include all of the caravan/camp site. AVCC are pleased to see the area opposite the Inverdrue Visitor Centre, presently used as a kick park protected for community use. The area is presently leased to the community and although we have no concerns about that changing it is felt that, for continuity of purpose within the Local Plan, it should be included.

Glenmore:

AVCC objects to the settlement boundary shown on the Settlement Map for Glenmore. AVCC, after further consideration since the Proposed Settlement Plan Informal Consultation, questions the need for a settlement boundary at all. Glenmore is a small hamlet and that is what makes it attractive. To increase its size substantially, and that is what the proposed boundary will do, will ruin the general ambience of the area for visitors and locals alike. Glenmore, in line with Scottish Planning Policy, should be dealt with as a Rural Housing Group and not expanded.

The Community Information for Glenmore says that there are no proposals for housing or for economic allocations. This begs the question, why then does Glenmore need to have a settlement boundary in the first place, and why does that boundary have to be so big? Why is there such a headlong rush into making it a settlement? AVCC notes that in other villages the settlement boundaries are, in the main, tight to the village boundaries. The settlement boundary must consolidate the existing form and not result in ribbon development or sprawl. Ribbon development or sprawl is exactly what the proposed boundary is going to result in. The settlement boundary means that development, of whatever kind, can be dealt with as windfall. The proposed settlement boundary has been put in place with no plans for what to do in it. That is hardly what could be described as planning ahead.

Chairman: John Grierson

Vice-Chairman: Alistair Dargie

Secretary: Ray Sefton

Treasurer: Lorna McGibbon

Notwithstanding AVCC's objection to the settlement boundary AVCC considers that the role of the settlement boundary in the local development plan is as a method of restricting incremental development which would detract from the overall character of the settlement and to prevent the sprawl of settlements beyond that which would be desired. We do not consider that development of the area to the east of the main road is desired by anyone other than the landowner and do not see how it can be justified. It appears to be more of an attempt to circumvent present Cairngorm Nation Park policies on development out with settlement boundaries and not something based on need. It will detract from the overall character of the settlement. To make a settlement boundary work well it must clearly identify the limits of the built form, and be what is described in planning terms as defensible. It should take the form of something recognisable as limiting future development beyond.

The road leading to Glenmore Lodge is not a 'defensible' boundary. There is already housing to the north of it and that could lead to creep. The settlement boundary on the east should be the main road. The boundary should come from behind the Forestry Houses down to the main road, between the Forestry Houses and the Sewage Works, and join up with the boundary on the south side at the bridge over the river. The river should be used as the southern boundary. There is no need to include the 'Hayfield' in the settlement. Doing this would damage the integrity of the 'defensiveness' of the southern boundary.

One of the attractions of Glenmore is that it mostly open space. The value of the open space is commented on in the Community Information (page 134). By not defining that open space it is left open to windfall development.

The only advantage of including Glenmore Lodge in the settlement boundary would be simply to acknowledge that it exists and it is seen by some, not us, to be part of Glenmore. This is not a planning reason.

AVCC feels that CNPA are 'tinkering' with Glenmore when there is no need. If it isn't broke don't try and fix it.

Roads and Transport

AVCC notes that there is no mention anywhere of the dualling of the A9 trunk road and the effect that will have on the west side of the Park. There is over 30 miles of the A9 within the Park boundaries and there is one section at Alvie scheduled to be dualled within the next five years. This section will change the traffic flows in the area. The rest of the A9 in the Park is scheduled for dualling over the next 20 years. The A9 dualling is a major development within the Park and there should be some strategy to deal with the effects of changes to the road structure.

Chairman: John Grierson

Vice-Chairman: Alistair Dargie

Secretary: Ray Sefton

Treasurer: Lorna McGibbon

Charlotte Milburn

From: Bill Carr [REDACTED]
Sent: 02 July 2013 14:55
To: Local Plan
Cc: ian crichton; Deborah and Angus Munday; Angus Munday; Duncan Munday; Ron Mercer; marilyn mercer; vicky dakars; gregor rimell; Bill Lobban
Subject: CNPA Proposed Local Development Plan: Dalwhinnie Community Council Response

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

CNPA Proposed Local Development Plan: Dalwhinnie Community Council Response

Dear Karen,

As I explained to your colleague when I called the CNPA office earlier today, we've been having trouble in respond to your request for comments using the on-line system.

When attempting to "save and continue", the system has often either delivered an error message or returned to the "change plan" page, both of which require the information to be re-entered.

I'm therefore as suggested now submitting our comments (below) by email, and apologise for any inconvenience this might cause.

I'd be grateful if you could confirm receipt of this email.

Please get in touch should you require any further information.

Regards,

Bill Carr,
Secretary, Dalwhinnie Community Council

Proposed Modification 1 of 7 (Community Amenity (DW/Env)):

The community propose that, as already is the case with the open space to the west of the A889, the area to the east of the A889 bounded by the River Truim and lying between the Loch Ericht hotel and the SSE substation be zoned as a community amenity.

This area is currently occupied by Balfour Beatty as a construction and office compound in support of the power transmission line project, and planning permission for this compound was granted on the understanding that the area (previously a car park, tree plantings and open ground) would be reinstated when no longer required early in 2015.

The owner of this site has earlier confirmed that when the Balfour Beatty compound currently occupying this area is no longer required and the ground reinstated, he would wish to consult the community as to the area's future use. The community in turn would wish to ensure that the car parking and tree plantings previously in place are reinstated as agreed. A footpath linking the reinstated car park to the Ben Alder estate access track could then be considered, to address hill walker parking and access issues in parts of the village.

The community would therefore wish to see this area formally protected from potential future adverse development (e.g. use as a compound in support of the A9 dualling project).

Proposed Modification 2 of 7 (Community Amenity (DW/Env)):

The school in the village has recently been "mothballed" by Highland Council, who have since agreed to enter into a "licence to occupy" with the Dalwhinnie community to allow the building to be used as a community resource.

We would therefore wish to see the school building and its environs zoned as a community amenity, and also for economic development.

Proposed Modification 3 of 7 (Community Amenity (DW/Env)):

Similarly, we would propose that the Village Hall and its environs should be zoned as a community amenity.

Proposed Modification 4 of 7 (Housing (DW/H)):

The site designated DW/H2 in the on-line response system is in fact designated as DW/H3 in the full plan. The site designated as DW/H2 in the full plan is adjacent to Station Road and has "extant permission for dwellings and will be appropriate for around 12 units".

Proposed Modification 5 of 7 (Housing (DW/H)):

In respect of site DW/H2 (adjacent to Station Road), this is now in part occupied by the Toll House Restaurant and bunkhouse, which was previously part of the now-demolished Dalwhinnie Hotel. The community believe that as the only café/restaurant in the village the Toll House Restaurant is an important economic and tourist provision, and that the restaurant, bunkhouse and their immediate environs should therefore be zoned as a community amenity and for economic development.

This would reduce the area of the DW/H2 site shown on the plan, and the DW/H2 planning permission for 12 houses should therefore perhaps be revised accordingly. (In fact, we believed that this number had previously been reduced to 9 when planning permission for the restaurant was granted.)

Proposed Modification 6 of 7 (Housing (DW/H)):

In respect of site DW/H3 (opposite Ben Alder Cottages), bearing in mind the unapproved felling of supposedly-protected trees that took place when the development behind/to the east of the village hall was taken forward some years ago, the community has concerns with the "where possible" caveat in respect of the protection of existing trees.

The community would therefore wish all mature trees in the area DW/H3 to be fully protected, and as such subject to detailed planning consent being obtained prior to felling.

Proposed Modification 7 of 7:

The village recycling facility is currently shown in the wrong place, and should be shown in its current location by the petrol station (ED1).

Charlotte Milburn

From: Valery Dean [REDACTED]
Sent: 03 July 2013 15:33
To: Local Plan
Subject: Application for 58 houses in School Wood, Nethy Bridge

Dear Sirs,

We are writing to make representation to the draft Local Development Plan relating to the above application.

May we register our objection once more to housing developments within School Wood, Nethy Bridge.

Our reasons have been recorded previously over many years and have not changed.

In line with Scottish Planning Policy (updated 2010), we have always believed that this ancient woodland with high biodiversity value should be protected from housing/industrial development.

Furthermore, we have always been against housing schemes as such in small, organically developed villages, where the style and the numbers involved are not designed to meet the requirements of the local community.

Self-build homes on individual sites within village boundaries would have been different, being in line with modern planning policy with regard to ancient woodland preservation and allowing organic growth within the national park rather than the scale being steered by national housing policies.

This way forward we would support.

This particular application has its origins in a time before the national park was in existence and fits neither with modern planning policies with regard to ancient woodland nor with the objectives of the Cairngorms National Park with regard to conservation and sustainability of local communities.

Yours sincerely,
Valery Dean

-Proposed Local Development Plan (Version: 2013)

Your Details

Your Name: Alice Farr

Organisation Name: Buglife- The Invertebrate Conservation Trust

Agent Name:

Address 1: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Site Name:

Contact Person: Me

Your comments will be applied to the following items:

5 Sustainable Design

We suggest that the CNPA plan includes a requirement for new builds of a certain site to have green roofs. Green roofs are an innovative way of directly contributing to promoting ecological interest, sustainable development and delivering economic benefit. Specifically designed roof top habitats have the following benefits: Biodiversity – providing habitat at roof level, especially within urban areas, can have significant benefits for wildlife, notably invertebrates and birds. Appropriately designed biodiverse roofs can support Local, Regional and National BAP targets. Sustainable drainage – retention of water in the substrate reduces and slows runoff. There is also an increase in water quality through filtration. Improving building performance – increasing the life span of the roof by protecting it from frost, high temperatures, UV and mechanical damage. Reducing energy consumption by reducing the need for heating and cooling. Sound attenuation. Climate Change – vegetation on a roof removed carbon from the atmosphere as part of photosynthesis and released oxygen. Evapotranspiration can reduce the urban heat island effect (caused by the absorption re-radiation of heat from dense and dark building materials). Amenity – roofs can provide areas for recreation and relaxation and be aesthetically pleasing. Such are the benefits of green roofs the USA, Canada Germany and Switzerland all have policies advocating the use of a green roofs. For example, the Swiss Building Regulations stipulated that all new and renovated flat roofs must be greened to provide valuable habitat (primarily for invertebrates), using specified materials. This has been supported by a reduction in electricity tax for buildings with green roofs which has, in turn, provided energy savings of approximately 4 GW/year.

-Proposed Local Development Plan (Version: 2013)

Your Details

Your Name: Alice Farr

Organisation Name: Buglife - The Invertebrate Conservation Trust

Agent Name:

Address 1: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Site Name:

Contact Person: Me

Your comments will be applied to the following items:

6 Natural Heritage - Paragraph 6.1

We fully support protecting and enhancing the nature conservation value of the park as a whole. We recognise that a large proportion of the park carries a legal designation but typically these sites overlook invertebrate interest. There are other important sites outside of this regulatory system that contribute to the landscape functioning as a whole and allow species movement throughout the landscape. This needs to be viewed at a landscape scale to ensure that its viability remains intact.

Boreal woodlands - The Cairngorms woodlands of pine, aspen and birch represent the westernmost examples of the boreal forest that stretches across most of northern Europe. However the composition of the Scottish forest is different as trees such as larch and spruce, common in European woods, do not naturally occur here. These ancient pine forests also contain many large, old trees in rather open, park-like woodland, unlike in Scandinavia, where intensive forestry practices have removed the larger, older trees, Scotland's boreal forests also receive a high rainfall which makes them particularly good for invertebrate species that depend upon damp decaying wood - such as the Pine hoverfly (*Blera fallax*) and the Aspen hoverfly (*Hammerschmidtia ferruginea*). This mixture of factors has produced an invertebrate fauna unique from the other boreal woodlands of northern Europe.

Freshwaters - The Cairngorms has some of the finest rivers and lochs in the British Isles. The River Spey is exceptional in Britain having a naturally dynamic, shifting mosaic of small channels, islands and wetlands along the majority of its length. For example, the flood plain at Insh marshes is the largest transitional mire in Britain and is comprised of a variety of specialist wetland habitats that are home to many rare invertebrates. One of the largest intact river confluence in Europe can be found where the River Feshie enters the Spey. This large delta of sand and gravel is an important habitat for a variety of rare and threatened invertebrates, including the Northern silver stiletto-fly (*Spiriverpa lunulata*). Around a half of the world's population of Freshwater pearl mussels (*Margaritifera margaritifera*) are found in

Scottish rivers. Freshwater pearl mussels can live for up to 100 years, but most populations are at risk from a wide range of activities including collecting. Action to conserve these populations will make a major contribution to the global survival of this species.

Mountains - The mountains of the Cairngorms are important for a range of cold-loving species. Their location further south than other arctic mountains means that they feature a range of climatic conditions in a relatively small area. This mountain range represents one of the largest area of land over 1,000 metres in Britain. They are home to Britain's only truly montane invertebrate species, including rare and endangered species such as the Arctic whorl snail (*Vertigo modesta*) and the Scottish mountain spider (*Mecynargus paetulus*). These species live above the tree-line where they thrive in seemingly severe natural conditions. Increased recreational pressure, overgrazing and trampling are all threatening these fragile habitats, however the greatest threat is from climate change - the species that live here are adapted to colder climates, and even a small rise in temperature could jeopardise their survival.

Peatland - Blanket bog covers over 1 million hectares of Scotland; this represents over 70% of the habitat in Britain, and the majority of blanket bog in north-west Europe. These bogs support a number of specialist beetles, dragonflies and flies including the Azure hawker dragonfly (*Aeshna caerulea*) and the Bog dance-fly (*Rhamphomyia obscura*).

6 Natural Heritage - Paragraph 6.7

Other important natural and earth heritage sites and interest. This is an admirable aspiration which Buglife welcomes but by what mechanism or designation system does the CNPA recognise non-statutorily designated sites? Currently this is unclear. There needs to be a transparent system to identify sites that are locally important for biodiversity so that this can be protected and enhanced. Whilst being over shadowed by sites of international importance these locally important sites are making up part of a network of sites throughout the Cairngorms and contributing to its exceptional biodiversity value. Extended Phase 1 habitat mapping of the National Park would help to build up a baseline of ecological data to ensure that the most valuable areas of habitat were protected from development and that cumulative development impacts could be more easily assessed.

14 An Camas Mòr - Paragraph 14.3

This paragraph needs to be expanded to specify how natural heritage is to be protected and enhanced. The Cairngorms boasts an incredible wealth of invertebrate life. From bees to beetles, and spiders to snails, invertebrates make up 98% of our animal life. Many invertebrate species have their British populations centred in the Cairngorms, especially those associated with mountains, boreal woodlands and cooler climates. The Cairngorms are also the last stronghold for increasing numbers of invertebrate species that are becoming rare or extinct elsewhere in Britain. Despite the importance of the Cairngorms' invertebrates, some have suffered drastic declines and others may be at risk of extinction. Without conservation action this trend will continue and we stand to lose some of Scotland's special wildlife. This value has been demonstrated in the 2008 invertebrate survey submitted as part of the on-going planning application for An Camas Mor development. The survey identified 10 UKBAP species and a number of other rare species. If this development is taken forward we expect additional and up to date surveys to be carried out with appropriate mitigation.

14 An Camas Mòr - Paragraph 14.14

This paragraph identifies that a number of SPA and SACs could be affected by the An Camas Mor development. The level of impact should be assessed before the allocation of this site to ensure that it can be delivered without negative impact on the five internationally designated sites within the vicinity. This has not been done adequately so far - if it is not possible to develop at An Camas Mor alternative sites need to be identified, assessed and then the public consulted on. Without this work it is not possible for the CNPA to deliver its local development plan or comply with its legal obligations under the National Parks (Scotland) 2000 Act which requires that the conservation of the natural and cultural heritage should take precedence. The Freshwater pearl mussel is a Habitats Directive Annex II species and is a primary reason for the designation of the River Spey SAC. Buglife has serious concerns that there will be a large adverse impact on the populations of mussel within the River Spey. The Joint Nature Conservation Committee website has the following information about the populations of mussel in the River Spey. 'The River Spey is a large Scottish east coast river that drains an extensive upland catchment and supports an outstanding freshwater pearl mussel population in its middle to lower reaches. In parts of the River Spey, extremely dense mussel colonies have been recorded (225 m²) and the total population is estimated at several million. As the population also shows evidence of recent recruitment and a high proportion of juveniles, the River Spey is considered to support a pearl mussel population of great international significance. The freshwater pearl mussel *Margaritifera margaritifera* is widely distributed in Europe, Fennoscandia and north-eastern North America, but has suffered serious decline and is threatened with extinction or is highly vulnerable in every part of its former range. It is listed as 'vulnerable' by IUCN, but is believed to be even more threatened. Outside Britain and Ireland, recruiting populations of international importance survive in probably fewer than 50 rivers world-wide (Young et al. 2001). Only a few viable populations survive in mainland Europe, most remaining continental populations consisting of mussels at least 30 years old with few signs of recent recruitment – although an apparent absence of juveniles may in some cases be partly due to difficulties in surveying (Hastie & Cosgrove 2002). Pearl mussels are most vulnerable to human influences at the juvenile stage where they leave the original host fish to establish themselves in the river bed sediment. Research has demonstrated that this sediment stage will die out completely with even a low level of pollution or rise in water nutrient levels. During the juvenile stage of their life cycle Pearl mussels live in gaps in the river bed surface. It is thought that this is the most sensitive and critical stage of their life cycle as the juveniles have specific requirements for the type and composition of sediment, making them extremely sensitive to even small changes in their local environment. Siltation of the river bed can be a problem, devastating localised populations of Pearl Mussels. Construction could cause an increase in siltation whilst bank erosion, flooding and land drainage can threaten adult mussel beds. Even small amounts of sediment can alter the interstitial environment of the juveniles, blocking of spaces where the juveniles are can suffocate them. Persistent intermediate levels of eutrophication and pollution could prevent long-term juvenile survival, resulting in aging stocks and population decline. The Pearl Mussel adult mortality is correlated with nitrate concentration and levels of phosphate and calcium. They are also highly sensitive to fluctuating oxygen levels. Nutrient release and pollution from housing development is extremely common, for example from home owners using fertiliser, herbicides or pesticides in their gardens. The close proximity, downhill location and sensitivity of the River Spey making it highly susceptible to this. There may be pollution incidents during construction, whilst this may aim to be controlled through mitigation and strict on site regulation only a small incident could have a large and devastating impact on the Pearl mussel populations downstream from Aviemore. This could be irreversible. For these reasons we objected to the inclusion of An Camas Mor until it is clearly demonstrated that there will be no adverse impact on the European protected sites within the immediate vicinity of this development site.

14 An Camas Mòr - Paragraph 14.7

There is an ambition to secure a net enhancement in biodiversity through this development. Mitigating some of the loss that will occur as part of An Camas Mor is not possible, for example loss of ancient woodland. The later phases of this development would result in the direct loss of ancient woodland. It is widely accepted that new woodland will take hundreds of years to even start to replicate the complex interactions of mature woodland and ancient woodland. The UK Government is committed to developing an approach to habitat banking as a means to facilitate development in a way that does not adversely reduce biodiversity values, and in some instances may be able to increase biodiversity. However, research carried out for the Department for Environment, Food and Rural Affairs into the future for conservation banking in the UK has identified ancient woodland as a habitat for which habitat mitigation cannot take place, as ancient woodland is not substitutable, i.e. you cannot recreate a habitat as complex as ancient woodland within a reasonable timeframe (or in the case of ancient woodland, at all). The guiding principles of biodiversity offsetting state:-(iv) There must be recognition that some habitats cannot be re-created (e.g. ancient woodland) while others can take decades to develop their wildlife interest. The guiding principles go on to say that in certain situations, where the need is clearly demonstrated, and loss is unavoidable a bespoke compensation solution will be required to ensure the value of irreplaceable habitats is fully recognised. The ratio for replacement of ancient woodland is around 30:1. The 2008 survey of An Camas Mor indicates that the site is of high conservation significance for spiders and damselfly and moderate to high significance for flies, bugs, beetles, moths and butterflies. The development would need to ensure that this biodiversity value is not lost and that the development does not hinder species movement. 1500 houses will lead to a large loss of habitat and this loss is going to be challenging to mitigate. It is difficult to see, given the site's location within a National Park and its aim of conserving nature, how there can be justification for a new town on such a large scale. References: Treweek, J. et al. (2009) Scoping study for the design and use of biodiversity offsets in an English Context. Final Report to Defra (Contract NE 0801) Defra (2003) Guiding principles for biodiversity offsetting

23 Carr-Bridge - Paragraph 23.7

The development site at Carr-bridge is home to one of the main populations of the narrow-headed ant in the UK. The narrow-headed ant (*Formica exsecta*) is a rare wood ant entirely restricted to the Scottish Highlands and one remaining site in England. It is an important indicator of a healthy woodland ecosystem as it is associated with natural and man-made open glades and edges. It is also an important 'functional species', providing essential ecosystem services such as distributing the seeds of many plants and preying on a range of invertebrates which feed on plants, such as aphids and caterpillars. The narrow-headed ant is listed as endangered in the UK Red Data Book, and is both a UK BAP Priority Species and also listed on the Scottish Biodiversity List. We expect any development on this site to ensure no negative impact on the population of narrow-headed ant.

31 Grantown-on-Spey - Paragraph 31.7

This is a complex area of habitat with a number of semi-natural habitat pockets contributing to a mosaic of habitats that are unusual for the area - the Spey Valley is generally known for its larger areas of less complex habitat. It is important not only to look at the development site itself but the

context of the site and its location. In this area the high level of trees with blossom, such as bird cherry, help to increase the capacity of the woodland and offering forage for many invertebrates. The mature aspen in and around the proposed development site could support the Aspen hoverfly *Hammerschmidtia ferruginea*. The aspen hoverfly is found only in association with large stands of boreal aspen in the Scottish Highlands. The larvae live under the bark of wet, decaying aspen trees or their branches, although there is evidence that it may also utilise living trees with some degree of rot. Adults may require flowers such as rose and bird-cherry. Scotland holds the entire UK population of the Aspen hoverfly – one of Britain's rarest hoverflies. This UK BAP (Biodiversity Action Plan) priority species is known from just 14 sites in the Highlands, and is listed as endangered in the UK Insect Red Data Book. More information can be found here: <http://www.snh.gov.uk/docs/C207702.pdf> For these reasons we recommend that the guidance wording is widened to include invertebrates and that it is made clear that invertebrate surveys will be required from the outset to devise a development that has no negative impact on these populations.

Charlotte Milburn

From: Kate Adamson [REDACTED]
Sent: 04 July 2013 11:22
To: Local Plan
Subject: Local Development Plan - Carrbridge Community Council response

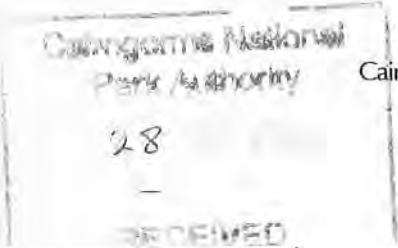
For attention Rachel

Carrbridge were very grateful that You and Katherine came to our open Consultation in the Village Hall. Those who attended felt that their knowledge had increased as a result, and they understand the process better. We would like to thank you very much for coming along

Carrbridge Community Council have studied the map and the General Policies which would cover Planning during the period covered by the proposed draft Plan
Opinion is that the Map of the Village as shown in the Draft is accepted to be the best option.
However if the present Planning Application involving areas H1 and H2 were to be refused, then we would like the boundary moved so that these areas H1 and H2 are outside the village boundary.

We are grateful for the opportunity to comment.

Thank you
Kate Adamson
Secretary, Carrbridge Community Council



Official Use Only
Reference:
Objection No:

Form for representations on the Cairngorms National Park Proposed Local Development Plan

Please read the explanatory notes inside the front cover of the proposed Local Development Plan before completing this form. The deadline for returning completed forms is 4pm, Friday 5 July 2013. The forms can also be completed online at www.cairngorms.co.uk. You can photocopy this form, or further copies are available from the Cairngorms National Park Authority offices or can be printed from our website.

Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

1. Name DAVID CEDDES
Address [REDACTED]
Telephone 0 [REDACTED]

2. If you are representing a third party, please give their details.
Name BRAEMAR COMMUNITY COUNCIL
Address [REDACTED]
Telephone [REDACTED]

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.
SECTION 20 BRAEMAR H1

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).
A FORMER PLAN PREPARED BY ABERDEENSHIRE (NEVER USED) PROTECTED THE OPEN AREAS ON THE NORTH SIDE OF CHAPEL BANE OVERLOOKING THE DEE VALLEY AND THE HILLS BEYOND.
WE FEEL THERE SHOULD BE NO DEVELOPMENT WHICH RESTRICTS THESE OPEN VIEWS

4. Continued

5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection.

REMOVE H1 CHAPEL BRAE DEVELOPMENT FOR 4 AFFORDABLE HOUSES

ADD IN PROTECTION FROM DEVELOPMENT OF ANY OPEN AREAS
TO NORTH OF CHAPEL BRAE WHICH CLOSE OFF OR RESTRICT
VIEWS TO THE NORTH

Please return all completed forms to:

FREEPOST (RSHS-BHKL-KXHS)
Cairngorms National Park Authority
Albert Memorial Hall, Station Square
Ballater
AB35 5QB

Or email: localplan@cairngorms.co.uk

Forms should be returned no later than 4pm, Friday 5 July 2013.

After that date, you will be contacted by a representative of the Cairngorms National Park Authority with regard to your objections.

If you have any queries regarding completion of the comments form, or require further assistance, please contact the Development Plan team at the CNPA Ballater office:

Tel: 013397 53601 Email: localplan@cairngorms.co.uk

www.cairngorms.co.uk

Data Protection

Details provided will only be used for purposes associated with the Local Development Plan. You may request to see personal information held by the CNPA at any time. Information will be shared with the Scottish Government Department of Planning and Environmental Appeals and may be published on our website. We will not publish address details but may publish the name of the person who has completed the form. By completing and submitting the form, you are consenting to the above.

Karen Major

From: Mary Laing [REDACTED]
Sent: 17 April 2013 13:23
To: Karen Major
Subject: Dinnet plans

Follow Up Flag: Follow up
Flag Status: Completed

Dear Karen,

Further to our chat this morning, I am emailing to you as you requested to point out formally that the plan of the village of Dinnet is incorrect. My house, "Strondhu" and my neighbour's house "Transy" sit in gardens that stretch all the way to the stream at the back, unlike the house on the other, Eastern, side, "Kumasi", which does have a shorter garden.

I hope you will manage to have this officially corrected on the plans.

Yours sincerely,

Mary S Laing

postal ack 10 June 13

Official Use Only
Reference:
Objection No:

received 4 June '13

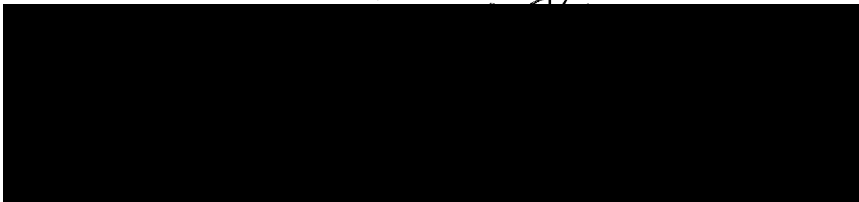


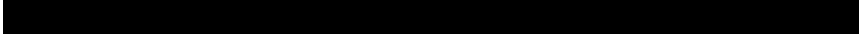
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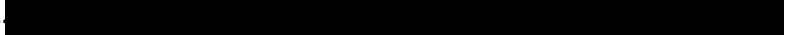
Please use this form to state clearly the modification/s you would like to see made to the Plan. You should include the proposal/policy or paragraph reference where appropriate. Please use a separate form for each representation.

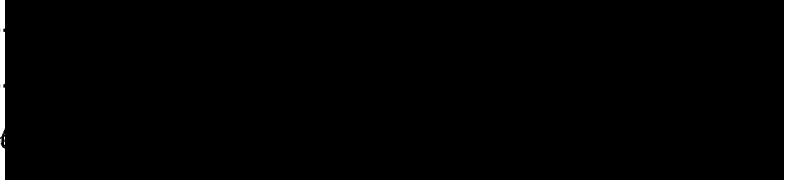
1. Name ALAN MILXB

Address 



Telephone 

2. If you are representing a third party, please give their details.

Name 

Address H/A 

Ab

Telephone  Email 

To which address do you wish all correspondence to be directed? (please tick)

Own Agent

3. Please state clearly the policy, proposal, map or other aspect of the Plan or guidance to which you wish to seek a modification.

20 Braemar

4. Please state clearly and fully the grounds of your objection or representation to the proposed Local Development Plan, using a continuation sheet if necessary. (You are advised to limit your statement to a maximum of 2000 words, plus limited supporting materials).

Area ED 1. NOT an objection but notification that part of this ground is in my ownership. That is the area beside the

4. Continued

*Add rifle range on which I
have sheds.*

5. Please state clearly what change/s you wish to see made to the Plan, which would resolve your objection.

*Leave that small area
free of development.*

Please return all completed forms to:

FREEPOST (RSHS-BHKL-KXHS)
Cairngorms National Park Authority
Albert Memorial Hall, Station Square
Ballater
AB35 5QB

Or email: localplan@cairngorms.co.uk

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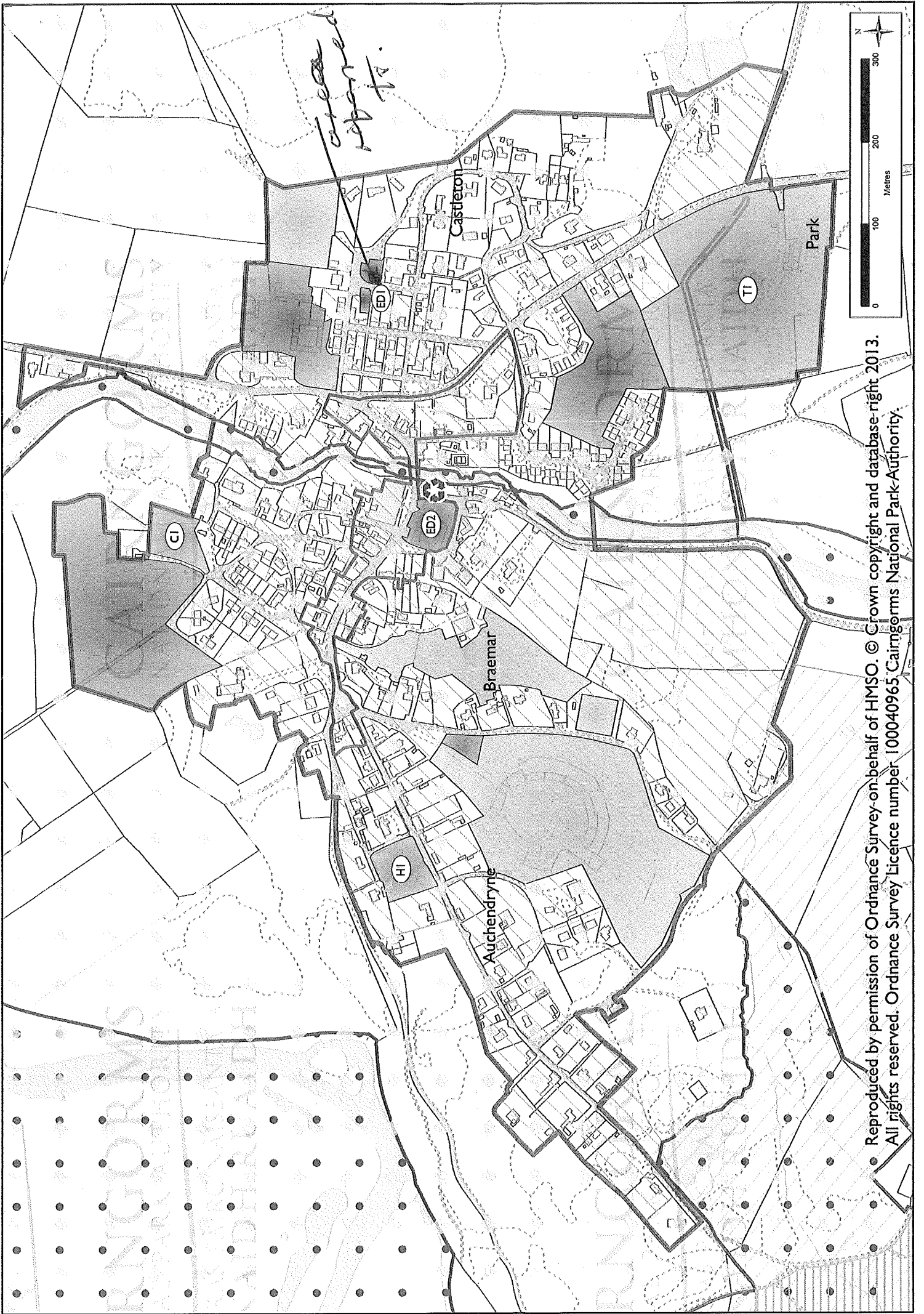
Tel: 013397 53601 Email: localplan@cairngorms.co.uk

www.cairngorms.co.uk

Data Protection

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added

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Investment opportunities

There are opportunities to create a significant opportunity for inward investment on land outwith the settlement boundary to the north of the village, adjacent to the Invercauld Arms. This option is an aspiration at present with no clarity on the nature of development, or size of site required. However, if this aspiration becomes a proposal, it should be located within close proximity to the existing built development, and be designed in a way which enhances this sensitive entrance to the village.

Mixed uses

Mixed uses which support sustainable developments and communities and meets the objectives for the village will also be supported where evidence indicates this to be the most appropriate way to take forward proposals.

Open space

A number of open spaces and land which contributes to the setting of Braemar are identified and will be protected from development.

-Proposed Local Development Plan (Version: 2013)

Your Details

Your Name: John Poyner

Organisation Name:

Agent Name:

Address 1:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Site Name: An Camus Mor

Contact Person: Me

Your comments will be applied to the following items:

14 An Camas Mòr - Paragraph 14.1

What is the point of creating a new sustainable community when existing ones are still not reaching this criteria. It will also destroy part of the landscape so valued in the park. The impression given to tourists visiting the area will be one of further "large scale" development already noticeable around Aviemore and it will just be seen as an overall expansion of Aviemore rather than a separate community because of its location. I work as a Wildlife Tour Guide and meet face to face with hundreds of visitors each year and their comments are consistently negative re the continual development within the park. The fact that the CNPA is for this development as it stands has disappointed me bitterly as a local trying to develop a thriving business in the area. I suggest CNPA concentrate on the communities they already have first rather than supporting new ones which are wholly inappropriate. It is this single issue which has led me to lose much faith in the CNPA's ability to govern this area effectively. I strongly object to its inclusion.

-Proposed Local Development Plan (Version: 2013)

Your Details

Your Name: Greig Munro

Organisation Name: Coast2Coast Architects

Agent Name:

Address 1: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Site Name:

Contact Person: Me

Your comments will be applied to the following items:

3 New Housing Development - Paragraph 3.6

Proposals to replace existing housing stock will be supported. It should not be necessary to demonstrate that a building is structurally unsound or incapable of rehabilitation (regardless of construction) in order to undertake a fundamental upgrading and re-design of the dwelling. eg. We do not build houses now to the same standards as they were built in the 1970's! And b) the existing house is not a listed building; and c) the new house incorporates the footprint of the original, unless an alternative adjacent site would minimise any negative environmental, landscape or social effects of the development.

-Proposed Local Development Plan (Version: 2013)

Your Details

Your Name: Greig Munro

Organisation Name: Coast2Coast Architects

Agent Name:

Address 1: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Site Name:

Contact Person: Me

Your comments will be applied to the following items:

3 New Housing Development - Paragraph 3.6

Proposals will be supported where it (protects) reinforces the existing pattern of development.

Delete (and).The CNPA should make it possible for new development within the Park Area subject to the principles of 'good design' being met. At the very least there should be an exceptions policy where an Applicant may be required to demonstrate that 'exceptional design' has been achieved in order to integrate new development within the natural landscape setting.

-Proposed Local Development Plan (Version: 2013)

Your Details

Your Name: Greig Munro

Organisation Name: Coast2Coast Architects

Agent Name:

Address 1: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Site Name:

Contact Person: Me

Your comments will be applied to the following items:

4 Supporting Economic Growth - Paragraph 4.3

The Planning Authority requires to identify sites that could be used for the relocation of existing businesses or the inward investment of new businesses who may choose to come or relocate to the Park area because of the quality of life and natural environment. No sites currently exist that meet these qualitative requirements. The historic industrial estates / units do not meet the aspirations of the inward investment market. At present it is too difficult to find suitable sites (or it takes too long to secure the potential of a new business site) that most inward investment opportunities are lost to other areas that have established site opportunities eg. Horizon Business Park in Forres, despite wishing to locate within the CNPA.

-Proposed Local Development Plan (Version: 2013)

Your Details

Your Name: Greig Munro

Organisation Name: coast2Coast Architects

Agent Name:

Address 1: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Site Name:

Contact Person: Me

Your comments will be applied to the following items:

5 Sustainable Design - Paragraph 5.2

The CNPA needs to prepare design criteria that clearly states for the benefit of applicants what the Authority considers to be 'good design'. Examples of 'good design' have already been gathered by the CNPA through their design awards. Based on these examples design criteria should be generated that seek to establish the basis and methodology for the Planning Authorities evaluation of future design submissions. This Design Framework should then be available for issue direct to Householder Applicants and used as the basis for pre-application advice.

-Proposed Local Development Plan (Version: 2013)

Your Details

Your Name: Greig Munro

Organisation Name: Coast2Coast Architects

Agent Name:

Address 1: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Site Name:

Contact Person: Me

Your comments will be applied to the following items:

5 Sustainable Design - Paragraph 5.3

In order to ensure Sustainable Design principles are being met the CNPA needs to use a 3rd party accreditation methodology in order to allow applicants to demonstrate compliance with established environmental performance benchmarks. Compliance with Scottish Building Standards is not considered to be an appropriate level of environmental performance for buildings within the CNPA. Without establishing clear environmental / energy performance standards the policy of the CNPA will not be achieved in practice.



Cairngorms NPA
Albert Memorial Hall
Station Square
Ballater
AB35 5QB

14 May 2013

Dear Sir or Madam,

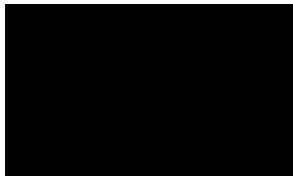
**CAIRNGORMS NATIONAL PARK AUTHORITY – PROPOSED LOCAL DEVELOPMENT PLAN
CONSULTATION**

The Mobile Operators Association (MOA) represents the four UK mobile network operators – 3, Telefonica (O2), Everything, Everywhere (formerly Orange & T-Mobile) and Vodafone – on radio frequency, health and safety and associated town planning issues.

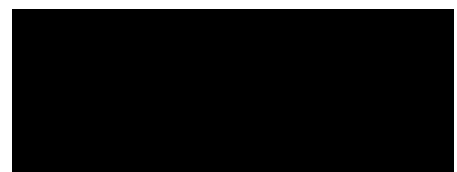
The MOA has commissioned Mono Consultants Ltd to monitor all emerging development plan policies and supplementary planning guidance relating to telecommunications development on its behalf.

Please find attached a response to the current consultation documents prepared by Mono Consultants Ltd on behalf of the MOA.

Yours faithfully,



John Cooke
Executive Director



Our Ref: GH/MOA

Cairngorms NPA
Albert Memorial Hall
Station Square
Ballater
AB35 5QB

14 May 2013

Dear Sir or Madam

CAIRNGORMS NATIONAL PARK AUTHORITY – PROPOSED LOCAL DEVELOPMENT PLAN CONSULTATION

Thank you for your recent consultation on the above and taking the time to seek the Mobile Operators Associations' views on the Cairngorms National Park Authority Proposed Local Development Plan.

We would like to take this opportunity to comment that we consider it important that there remains in place a telecommunications policy within the emerging Local Development Plan.

It is recognised that telecommunications play a vital role in both the economic and social fabric of communities. National policy guidance acknowledges this through paragraphs 248 - 254 of Scottish Planning Policy (SPP) which provides clear guidance as to the main issues surrounding telecommunications development, including siting and design. Paragraph 251 of SPP confirms that "*local development plans or supplementary planning guidance should give a consistent basis for decisions on communications infrastructure by setting out matters that will be taken into account in decision making.*"

There are numerous documents which will affect the formulation of any telecommunications policy, the most important of these being Planning Advice Note 62: Radio Telecommunications (PAN 62) which provides more detailed siting and design advice on such matters. On this basis we would suggest that within the Local Development Plan there should be a concise and flexible telecommunications policy, and we would therefore suggest a policy which reads;

Proposals for telecommunications development will be permitted provided that the following criteria are met: -

- (i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area;***
- (ii) if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;***
- (iii) if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority.***

- (iv) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.**

When considering applications for telecommunications development, the (local) planning authority will have regard to the operational requirements of telecommunications networks and the technical limitations of the technology.

We would consider it appropriate to introduce the policy and we would suggest the following;

“Mobile communications are now considered an integral part of the success of most business operations and individual lifestyles. With the growth of services such as mobile internet access, demand for new telecommunications infrastructure is continuing to grow. The authority is keen to facilitate this expansion whilst at the same time minimising any environmental impacts. It is our policy to reduce the proliferation of new masts by encouraging mast sharing and siting equipment on existing tall structures and buildings.”

We trust you find the above comments of assistance. Please do not hesitate to contact me should you have any queries relating to the above matters.

Yours faithfully

